Exhibit 3286

DIA Collection Management Policy Attachments

DIA Collections Management Policy Attachments:

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*Dates listed are the most current update

Outline of Accession Process

Curatorial notification

- Curator sends Registrar Incoming Shipment form.
- The Incoming Shipment lists details about an object that will enter the museum for gift or purchase consideration (using online Filemaker form)
  - Insurance value
  - Title
  - Object date
  - Artist/culture
  - Artist's dates
  - Classification
  - Medium
  - Dimensions (real or approximate)
  - Purpose (gift, purchase, bequest)
  - Delivery Status (expect or received)
  - Authorizing Curator and department
  - Lender/depositor name, address and phone
  - Remarks if there are any
  - Curator signature and date
- Registrar prepares a file for the object. The tab label includes the depositor/lender name, DIA Temporary number (once it is assigned), classification of object, and department receiving object. The tab label for a purchase is green and for gift is blue. Add the checklist to the top of the file. **There is an incoming and outgoing checklist.**

Shipping arrangements

Registrar makes all shipping/customs arrangements, receives object, and prepares documents using the information detailed on the Incoming Shipment form.

- Registrar contacts lender/depositor and coordinates shipment of object. Most objects must arrive via a fine arts shipper. Some dealers or donors may wish to hand deliver objects to the museum. All shipping and insurance will be paid by lender/depositor unless otherwise agreed upon. DIA will pay for shipment and insurance of purchase considerations that are declined and returned to dealers. However, there are times when the dealer/donor wants the object back right away and will agree to insure the object in transit. If they agreed to do this in writing then we can send it back to them via Fed Ex.

- Be sure to contact the dealer/donor with the Shipping Guidelines letter – there is a template for it – one for gifts and one for purchases. Make sure that the dealer/donor responds that they understand and agree to our Shipping Guidelines.

- Once shipping has been arranged complete some remaining fields on the Incoming Shipment:
  - Shipping charges determination (Lender/depositor or DIA)
  - Approximate delivery date if known
  - Shipping arrangement (Lender/depositor deliver or DIA)
  - Shipper/packer address and phone
  - Receiving Registrar's name

- Pro-forma must be completed (if the object is arriving from over-seas) the pro-forma includes:

- DIA address, phone, fax
- US Customs broker address, phone, fax
- Lender/depositor address, phone, fax
- Over-seas Customs broker address, phone, fax
- Title, date, artist, medium, T number, value, crate dimensions
- Registrar' s signature and date

One week prior to arrival

- The Registrar must complete an Unpacking Request email. The request should be sent to Outlook ArtMove and the curator concerned should be copied as well. The unpacking request email includes:
    - Artist/Title
    - Number of pieces
    - Medium
    - Dimensions (of object, crate or box)
    - Arrival date (date may be approximate but should be confirmed as soon as it is available)
    - All unpacking requirements/details that need to be conveyed to Museum Tech
    - Send email to: Outlook Security, Loading Dock, Outlook Artmove, Registrar Department, and the Curator requesting the object as well as the proper Conservator if the object is over $25,000.00.

Object arrives on-site

- The object must be allowed to acclimatize for twenty-four hours prior to unpacking if crated.

- Registrar prepares Temporary Object Record card using details from Incoming Shipment form and a Temporary (T) number is assigned. Email the curator the T number.
    - Note: Normally objects needs to be in the building in order to receive a T number. However, we have made some alterations to this past "rule" and if you have a large amount of objects coming in and it would be beneficial to catalogue before their arrival – that is fine. Do not record the location of the object though until it is physically here.

- A Museum Receipt is sent to lender/depositor with a letter-requesting signature and return to Registrar's office. Museum receipt includes:
    - Lender/depositor name and address
    - Shipment method
    - Arrival date
    - Reason for deposit (gift, purchase consideration, bequest)
    - Insurance determination (DIA upon arrival, DIA upon pickup)
    - Special instructions
    - Artist/title or description
    - Insurance value
    - Registrar's signature, title and date

- If the object is a gift consideration **a Deed of Gift** form can also be included with the museum receipt. The same goes for the **Standard Purchase Agreement** where similar information is needed with some exceptions (see the Stand Purchase Agreement form). The Deed of Gift is a two-paged form that includes:
    - DIA receipt number (T#)
    - Artist/culture
    - Title
    - Object date

- Medium
- Dimensions
- Donor's address
- The donor stated value, date of donation and percentage of donation are left blank for the donor to complete.
- The second page of the Deed of Gift is the Declaration of Copyright Interest for Gifts of Works of Art. In the letter sent with the Deed of Gift the Registrar can explain that the questions on the Declaration portion are useful to have answered for our records. Some donor's will not know or have all of the facts requested.

  - Also – it is recommended that you don't put the word "copy" on the copies you keep in the file after sending out the paperwork. Often times, you have to resend the paperwork and it can't have the "copy" sign on it – so it is better to leave it off and discard when the originals come back.

- The Registrar can create a computer (TMS) record for the object including all of the details supplied on the Incoming Sheet, DIA Temporary number and received date. Be sure to designate the status of the object (gift or purchase consideration). See TMS binder for creating a new record.

- Photography of the object should be taken and added to TMS. Please use Photoshop to format. Photo should be 8 inches in width only & 300 in resolution. Make sure you have access to the Z drive in order to upload your photos. Add photos to the Media tab in TMS – please consult another registrar if you need help with this process.

- Once the object is unpacked the Registrar will receive notice from the Museum Tech who completed the job. The Registrar must then complete an incoming Condition Report which includes:

  - Artist
  - Title
  - T number
  - Medium
  - Crate number if it is available
  - Dimensions
  - Packing Notes if any are received from the Museum Tech
  - Detailed notes on the condition/appearance of object
  - Registrar's signature and date
  - Photograph of object can be stapled to the form (if there are areas of concern detail photographs should also be shot)

  (If the object arrives damaged Packing will notify the Registrar. A damage report must be completed, photographs of the artwork and packing material must be taken, conservation must be contacted to examine and stabilize, lender/depositor must be contacted in order to begin insurance processing. Be sure to retain ALL packing material for insurance purposes.)

- The Registrar can complete the remaining fields on the Incoming Shipment form:

  - T number
  - Actual dimensions
  - Waybill number
  - Date received
  - Packing method
  - Unpacked by
  - Date unpacked

Documentation

- The Registrar collects documentation as it is received and amends the computer and written records as necessary and adds the documents to the file. Each file must include:

    - Gift considerations-
        - Signed Museum Receipt
        - Signed Deed of Gift (with donor details completed)
        - NOTE: Make sure all who sign the credit line also sign at the bottom as well. If not – it goes back to the donor for completion. The credit line should not be too wordy – it should follow our normal format and will state all the names of the owners clearly – therefore not saying things like "and family" for example.

    - Purchase considerations-
        - Signed Museum Receipt
        - Signed Purchase Agreement

    (Other Reports completed by staff outside of Registrars Office)

    - Conservation Reports- a conservation report must be completed by a member of the Conservation staff for purchases $25,000 and over and is included in the Collections Committee packets.
    - Critique- a critique must be completed by a member of the Curatorial staff for purchases $25,000 and over and is included in the Collections Committee packets.
    - Funds Designated Form- a form is created by the Finance and Administration staff that lists the funding sources for all purchases. (Once the object is accessioned these funding sources will be used in order to complete the final credit line.)

Collections Committee Process

NOTE: You will need to create and bring the **Director's Special Vote/Special Mention** sheet to the CC Meeting – only Graham receives this sheet. It should include past and present Board Members, Artists and Staff members who are donating objects to the museum.

- The Curator prepares an Accession Sheet and sends it to the Registrar. The fields completed by the Curator must include:

    - T number
    - Artist/Culture/People
    - Artist Nationality
    - Artist's dates
    - Title
    - Date of Object
    - Classification
    - Department
    - Medium
    - Dimensions
    - Purchase consideration
        - Price (U.S. or foreign currency)
        - Offered by (Dealer name and address)
        - Funding Source
    - Gift consideration
        - Donor stated value (If known)
        - Offered by (Donor name and address)

- Credit line (Official credit line is the one listed by the donor on Deed of Gift)
- Accession method (purchase, gift, bequest, transfer, bargain sale, partial gift)
- Submitted by (Curator)
- Departmental approval

The object is included on a list for Collections Committee Prep. This is a meeting with Director, Curators, and Registrar. The details of objects to be presented to the Collections Committee are presented at this meeting. The Registrar prepares a list categorized by gift or purchase consideration. Each list includes:

- The header (Works of Art for Gift or Purchase Consideration)
- The name of the donor or dealer (Ex: **From Marlborough Gallery**:)
- Classification (Ex: Sculpture, Paintings, Ceramic…)
- Artist name/Nationality/Artist's dates (Ex: **David Smith**/American/1906-1965)
- Title (Ex: Cubi I)
- Object date (Ex: 1963)
- Dimensions (Ex: 124 x 34 ½ x 33 ½ in.)
- DIA T number (T1960.3)
- Price or donor stated value (if the value is over $25,000 an outside appraisal)
- If it is a purchase the name of the dealer must be included (Ex: Offered by Marlborough Gallery)

Registrar can take all accession sheets to this meeting for the Director to stamp or sign with his approval. Be sure to retain copies of the accession sheets in the files until the stamped or sign documents are returned by the Director's office. Graham signs Accession sheets over $5,000.00 in value and anything under that amount gets stamped.

Purchase Agreements must be sent out to dealers and returned prior to reporting accessioned objects to the Board of Directors, purchase agreements are sent to Finance and Administration so that F&A staff may complete Funds Designated forms. Also send copies of accession sheets for purchases to Finance and Administration for assignment or verification of funding sources. This should be done prior to CC.

Registrar will receive Funds Designated forms from Finance and Administration, which should be added to the file. The statement on the Funds Designated form determines the correct credit source.

The object is recommended to Collections Committee by providing a detailed list much like the one presented at the CCPrep. Each list is categorized by gift or purchase consideration and includes:

- The header (Works of Art for Gift Consideration or Works of Art for Purchase Consideration, the meeting title, and date of the meeting)
- The name of the donor or dealer
- Classification
- Artist name/Nationality/Artist's dates
- Title
- Object date
- Dimensions
- DIA T number
- Price or donor stated value (if the value is over $25,000 an outside appraisal)
- If the object is a purchase the name of the dealer offering the item must be included

(There may be times when gifts are presented as "Year End Gifts Accepted by the Director". If an object enters the building prior to the end of the year it can be reported this way for tax purposes for the donor. Examples of the Collections Committee lists are in registrar's binders.)

Board of Directors

After the Collections Committee meeting the list is amended and Registrar verifies all new information received. The Registrar prepares an amended list for the Board of Directors where the object is then accessioned. ALL FORMS MUST BE IN THE REGISTRAR'S FILE IN ORDER FOR AN OBJECT TO BE PRESENTED TO THE BOARD OF DIRECTORS.

- Once an object is accepted by the BD the Registrar can perform final collections management details:
    - Permanent numbers
        - Assigns permanent DIA accession number
        - Changes number on computer record (TMS). Be sure to check the box called Public Access at the top of the record. This action allows all users to view the item.
        - Notes T number under alternate numbers in computer record (TMS does this automatically as box is checked as the default).
        - Notes permanent number on Accession Sheet
    - Credit lines
        - Add credit line to computer record (TMS)
- Gift Letters – create gift letters from the template on DIA letterhead and send to Graham to sign. When you receive them back – make the appropriate amount of copies (see below) and send the originals to the donors.
- Yellow Cards: add the accession number to the card and file in the Record Room. If the object left the building – make note of that on the card and file it in the back room.
- Registrar confirms all fields are complete and signed on the Accession Sheets and provides copies of the following information to these departments:
    - **Development Department**: (currently Denise Harting) with copies of Accession Sheets (gifts only) and Gift Letters accepted at the Board of Directors meeting. Make sure your copies have been signed by Graham.
    - **Accounting:** (currently Tammie Sutton) with copies of all Accession Sheets (purchases and gifts etc.) and all Gift Letters.
    - **Finance:** (currently Talina Bell) with copies of the Accession Sheets (only purchases) that have all been signed. The earlier copy of the Accession Sheets were not signed yet – so after Board she needs the signed version.
    - The original copies of the Accession Sheets and a copy of the Gift Letters (the original Gift Letters are mailed to the donors of course), are put in the Object Files.
    - Another copy of the Accession Sheets should be made for the Black Fiscal Year Notebook kept on the Registrar of Acquisitions desk. Another copy of the Gift Letters should be made for the White Gift Letters Fiscal Year Notebook and kept on the desk of the Registrar of Acquisitions.

Guidelines for Acquisitions Reports

All of my reports are saved in my computer under my personal file folder and then Acquisitions. You will see files for Prep, CC and Board for each year (it is not based on fiscal year – just the year that the meeting falls). Please save them in the same way for consistency. For every fiscal year, there are 23 reports that need to be created:

Prep Collections Committee Meeting – 4 reports yearly
Collections Committee Report – 4 reports yearly
Board Reports – 4 reports yearly
Art Commission – 4 reports yearly
Accounting – 4 reports yearly (4 "Quarterly" but they are consecutive)
Publications – 1 at the end of the year
End of the Year Reports – 2 (one for the Registrar's Office and one for the Director)

Prep Collections Committee Meeting

- Develop a timeline with Finance (currently Talina Bell) that indicates to them when you need the Funds Designated Sheets. This should all be done prior to Prep. Talina will set up meetings with the Curators and Loren, then Loren and Graham to decide where the funds will come from. Talina then types up these forms and gives them to the Registrar of Acquisitions on the agreed upon date. This date should be after the Prep Meeting but before the Collections Committee Meeting. This is preferred…but if this can't work out, then the Funds sheets must be in before Board…as well as the Accession Sheets, Deeds of Gift, any other important legal material that may be needed such as for any type of Bargain Sale where the appraisal is a must (normally we can't demand an appraisal for regular gifts but we do request one if the amount is high). If we don't have these materials, then we have to take them off the Board list.

- Set a date with Curators where you require them to give you the Accession Sheets. You should receive these about 1 ½ weeks before the Prep Meeting. I'd send the Curators a Calendar reminder each time.

    - Nancy Sojka makes an Editions lists for her works on paper for CC (NOT for Prep). But you will want to tell her that you will need her Editions list in the near future for CC.

- When you receive the signed Accession Sheets – check them against the files you currently have for the next Prep. If there are objects that did not receive an Accession Sheet – inquire with the curator and ask if they just forgot about the object and would like it to go thru. If so, make sure they send the Accession sheet to you immediately or it can't go on the list. If they don't want it to go on…take the object file and move it back to the next Prep date. It will help remind you about it then. If the curator knows that they don't want the object – you should put the object file in the Outgoing and send the object/s back to the owner.

- Once you have all the Accession Sheets – change any information in TMS that is different in comparison to the Incoming sheet. Then in TMS, make an object package using all the Accession Sheets that you received. For Gifts – make sure the credit line is in – change if you need to as the Deeds of Gift come in and the credit line is signed. For Purchases – you don't have to be anything until you receive the Funds Sheet. The computer will automatically say "Funds to be Determined" until you add the funding source. When you do get the Funding Source – it should look like "From Robert H. Tannahill Foundation Fund" for example. Later, after it goes thru Board Approval, and you do the final cataloguing – it should look like "Museum Purchase, Robert H. Tannahill Foundation Fund". For the amount of money – that needs to go into the Registration Tab box and then Accessioning for the amount and also in the Insurance field under the Registration Tab or else the amount will not come up on any of the objects.

- An object package needs to be made for Purchases, Gifts, Bequests etc. etc. individually and saved. I will save it under – "Acquisitions Report – November Gifts" for example. I also start out with Acquisitions Report – later you can erase them when it is no longer needed.

- For Purchases – please follow these steps once the object package is made:

    - Bring up the object package on TMS
    - Go under the Registration Tab and then Accessioning
    - In Accessioning – go to the Reports Tab
    - Then Private Reports and Acquisition Report by Value Only
    - A list of four questions will pop up – it will ask you what you want your report title to be and it should read: Prep Collections Committee Meeting, then it will ask you the name of the Object package, then what page to start on, and if you want thumbnails and you certainly do want thumbnails.
    - A TMS report is then created
    - Please note that Auction items should be added to the Purchases List
    - Export report into Word and save the Report with the other reports from that year
    - Be sure to look at the report in word and make sure you take out anything that does not belong in the report. Or add anything that needs to be changed within the Word Document.

- For Gifts – please follow these steps once the object package is made:

    - Now do the <u>same thing</u> for Gifts/Bequests but instead of going to Acquisition Report for Value Only – instead you want Acquisition Report by <u>Credit Line</u> and continue with the same steps as above
    - Normally the Gifts and Bequests can go into the same object package unless you want them separated for some reason.
    - Make any changes in the word document

- After Reports are Made:

    - Create a Title Sheet that says: Prep Collections Committee Meeting and the date of the meeting.

- Once the report is all set – print 17 copies out upstairs on color copier 2 – print out in full color – with staples – don't forget to add your Title page to the front of the report. You can do double sided if there are several of pages.
- It is also important that during this time you are sending Talina the Prep Purchases list and then any updates to the list. You also need to send the entire Prep list to Outlook Curators, Tim Burns as he helps on the computer with Prep and CC, Outlook conservation, Outlook Artmove, and the Registrars Department. Please send updates to everyone for the CC list as well.
- During this time – you will be sending Talina all the Accession Sheets for Purchases and the Standard Purchase Agreements from the dealers.

- Collections Committee Meeting Report
  - After Prep – make changes in TMS for CC
  - Put the Funds on the CC Report if at all possible
  - You do not need a title page for this report – Wendy makes it.
  - This report should be in color as well – follow Wendy's instructions but this report doesn't need to have the 3 hole punch paper as the Board list does.
  - Also add the Editions List from Nancy Sojka
  - After that – add the Address Labels sheet of all the donors (NOTE: You will need these as labels later for the Gift Letters so you might as well start with them this way – although they will just appear as a word document for CC – later you will print them as labels for the Gift Letter envelopes.)
  - NOTE: For the Address Labels and Nancy Sojka's Editions – put an extra piece of paper between the main list and each one of these add ons – it makes the list look much better even though the actual list is double sided
  - Throughout this entire process – and especially now – be sure to go thru all the files and make sure you have all the legal documents such as Purchase Agreements and Deeds of Gift.
  - Finally – after the list is complete – go thru the list and create Graham's Special Vote and Special Mention Form. This form should always mention artists and staff members – they need a special vote if they are going to be donors/dealers. Board members (past and present) need to be mentioned as well. So go thru the list for both purchases/gifts/bequests etc. and be sure to list everyone on that sheet for Graham. You can find this information in Raser's Edge. Please give to Graham the day of the CC Meeting.
  - The list should be done in the same manner as Prep – but since it is the CC meeting – the footnote should be Collections Committee Meeting with the date of the meeting.

- Between CC and Board and the actual Board Report
  - Make sure all the Accession sheets have a price on them. Once they do…bring to Wendy. Objects over $5,000.00 should be signed by Graham – under that amount get stamped. If you have all this information ahead of time – you can give to Graham after Prep but make sure you keep a copy while they are being signed.
  - For the Board report – you do not need to send the Editions list or the Address List for gifts. That is only for CC.
  - The Board report is done the same way the other reports are done – just change the title to "Board Report" with the correct date etc. in the Footnote.
  - You do not need a title page and it doesn't need to be in color.

- If you are missing important paperwork like the Deed of Gift or Purchase Agreement – then the objects cannot go thru this meeting. If this ever happens – and the object is not going back to the owner but will be going thru the next time…please be sure to note the correct CC date in TMS – put the file in the next Board date – and just send it thru Board with that Board date. No need for it to go back thru another Prep or CC if it already went thru once – only the Board.
- Please keep in mind that you always need an appraisal for Bequests and Bargain Sales
- Once the Board is approved you can start the process for "After the Board" work.
- For Board at the end of the Year – (USUALLY IN FEBRUARY) DO NOT FORGET TO CHANGE THE HEADING FOR THE GIFTS – IT SHOULD READ: "YEAR END GIFTS ACCEPTED BY THE DIRECTOR" – VERY IMPORTANT AND THE ONLY TIME YOU NEED TO DO THIS.
- Also – be sure to remember that for the September round of meetings – you need to include the Directors Statistics that our Head Registrar will sign off on. This will later go to the Annual Arts Commission Meeting.

- Arts Commission Quarterly Reports (4)
  - These reports are due for the Arts Commission Meeting – all the dates are listed on the 2011 Meeting Dates schedule. They are usually due 1-2 weeks before the meeting – give them to Wendy. Be sure to check with Michelle and Terry about their reports as they all go together.
  - I've always taken out the photos for this report.
  - See below but in the past – I've just cut and pasted this report – it may be difficult to do this now since we went automated with our Prep/CC and Board reports and another solution may need to be found.
  - Basically for this report you pull out the Board reports from each quarter – for example:
    - July-September – First quarter – find all the Board reports in this time period and copy them all into one report.
    - October – December – the same as above
    - January-March – the same as above
    - April – June – the same as above.

- Annual Arts Commission Report
  - This report is usually in October and includes all four quarterly reports from the Board Meetings throughout the entire fiscal year.
  - Be sure to include the Director's Statistical data.
  - The Statistical data needs to be sent to all the people on the sheet (they are listed at the bottom) – you can send via email. Do not forget the people from the City of Detroit. Kim D. should have their email addresses. But if not – just call the city and get the information.
  - This report goes with the other registrars report and I do not include photos.

- Publications Report
  - This report is usually done in August – after the End of the Year reports are completed.
  - Please send this report to Publications (Susan) when finished.

- Bring up all the objects from the start and end Accession number from that fiscal year – this information is in the notebook entitled "Fiscal Year" or it is on the Director's report as well. It is the first and last accession number from that fiscal year. Bring them all up in TMS. Then go to "Reports" and "List by Department", and then transfer over to Word and make sure it is correct and send to Publications.
- Give it a title "Publications Yearly Report 2010" for example.

- Please note that the Fiscal Year Notebook contains copies of all the Accession Sheets – the originals are in the Record room – in all the files. This is the same with the Gift Letters Notebook. At the end of each fiscal year – when the information is no longer needed – please shred and add a label for the new fiscal year.

- Accounting Reports (4 reports) This is used for Quarterly and the Annual Report
  - After this report is done – it must be reconciled with Accounting and it must match exactly. Be sure to check the Funky File for any past issues that may cause problems in the reconciliation. Before you send this to Accounting – go thru each object and compare it to the Fiscal Year Black Notebook – each object should be accounted for with the amount that matches both the notebook and the Excel spreadsheet. This information will be used to do the Year End Directors and Registrar's report which makes up all the Statistics.
  - Accounting reports should be sent to Accounting (Tammie Sutton) at the end of each quarter with the end of the year being the full fiscal year end report. Even though the reports are sent quarterly – Tammie would like them to be consecutive – so at end of December for example which would be the second quarter – the report would include all Board meetings from July thru December and so on for each quarter.
  - In TMS – go to Advanced Query and make sure the Accessioned Objects box is checked. In Field Group it should say Accessioning – Field Name should say Accession Method, Relation should say Equal to, and Field Value should say either Purchases or Gifts or Bequests etc. You have to do each one at different times and repeat the process. In the next row in Field Name – put Accession Date, then in Relation put Greater than or Equal to, and the Field Value should say 7/1/year of the start of the fiscal year. Then push Execute and it should all come up.
  - Then go into Reports – then Personal Reports at the bottom – then Accounting Reports. Type in the title: I usually say:
    - Accounting Quarterly Report – July 1, 2010-September 30, 2010 (It will automatically say either Gifts or Purchases and have the Board dates on it)
    - Accounting Annual Report – July 1, 2010-June 30, 2011
    - Then Press Display and Export the report into Excel and make sure all the information fits on each page instead of spreading too far to the right – going off the page.

- End of the Year Reports
  - All the data for these reports come from the End of the Year Accounting Reports
  - Make sure when you are counting the objects – that you don't count things that are considered one object. A good example of this is Joel Shapiro's work –

2010.109.1-3 (this should be counted only once in Contemporary art – it is one object). Also – you don't want to count A's and B's as two objects. Some series in PDP are counted as one – while others are counted as more…so be sure the count is correct. Always use the Funky File during the year as it helps you sort out strange issues that occurred during the fiscal year.

- To create these two reports – just follow the format of the previous years – it is easy to figure out – again – you will use the Accounting information to gather this information for these two reports.

REGISTRARS' GUIDELINES FOR MANAGING THE DEACCESSION PROCESS
THE DETROIT INSITUTE OF ARTS

Note: These guidelines should be use in Conjunction with the DIA Collections Management Policy

DEACCESSION PROCESS BEGINS

Curator submits to Registrar:

- Recommendation for Deaccession Form
- Photo of object
- Fact Sheet

  If the value is over $25,000 two outside appraisals are also required
  If the value is over $15,000 a conservation report is required

Registrar checks Recommendation for Deaccession form to see that all information and documentation requirements have been met.

Registrar establishes a file and starts a green Deaccession Activity Sheet for the object (online form)

NOTE: Deaccessions files, like all registration files, are not allowed to leave Registrar's Office. Exceptions can be approved through the head registrar. Exceptions should be discouraged in favor of photocopying the documentation from the file that is required. The Recommendation for Deaccession form is a confidential form and remains in the file, and is not photocopied.

REGISTRAR ESTABLISHES CLEAR TITLE

The registrar establishes that the museum owns the artwork slated for deaccession. An artwork must have been accessioned by the DIA in order to be deaccessioned. (Note- The management of non--accessioned works of art have their own process and procedures). Use the Title Verification Worksheets to record your notes while researching title. Upon completion this form is reviewed by the head registrar, after which the Deaccession Form is signed by the same and sent to the director for approval.

Purchases:

- Check Object and Donor/Dealer files, Archives, City Deeds and Wills, as appropriate to ascertain that were no conditions attached to the funds used to purchase the object slated for deaccession..
- Chief Curator signs off denoting that the museum purchased the object with funds free from restrictions. See part IIIA, Recommendation of Deaccessioning Form.

Gifts and Bequests

- Check Object and Donor/Dealer files, Archived Board and Arts Commission Minutes, and any other relevant archived documentation, City Deeds and Wills as appropriate to determine that there were no restrictions placed on the gift when it was accepted for accessioning into the collection. Look for deeds of gift, or correspondence that states that the museum accepted the object as an unrestricted gift. Copy appropriate paperwork to the file; always obtain a copy of the Last Will and Testament for all bequests..
- Letters sent <u>certified mail, return receipt requested</u> must be sent to all donors of gift objects proposed for deaccession. The letter confirms that the object was given to the museum as an unrestricted gift" It is a courtesy to tell the donor or his/her close descendants that we plan to deaccession his/her <u>unrestricted gift</u>. It also informs the donor that the proceeds from the sale of the object will only be used to purchase more art for the collection, and that his/her name will be noted as a gift by exchange on the newly purchased piece. The letter is sent and signed by the curator, chief curator, or director and it is copied to the registrar. These letters should be sent a minimum of six weeks before the

- Collections Committee meets.. It is not necessary to receive a response to the letter since it is sent as notification of the deaccession. Registrar places a copy of the letter and the postal return receipt in the file as part of the documentation record. Any responses should also be placed in the file.
- Head Registrar signs off concerning gift restrictions, on II B of Recommendation for Deaccessioning form, indicating that there are no known restrictions on the proposed object for deaccession, and that all requirements of the Collections Committee, Board of Directors and the General Operating Agreement between the Detroit Institute of Arts and the DIA have been met..

APPROVING SIGNATURES

Curator recommends/defends the deaccession

Head registrar ascertains clear title and all documentation requirements

Director signs approval signifying that the object can be presented at the next Collection Committee Meeting. The CC will approve and recommend to the Board of Directors for final approval.. When passed, all is presented at the next Arts Commission meeting as informational.

COMMITTEE AND BOARD APPROVALS

Registrar prepares, in list format, the appropriate documentation of the proposed objects for deaccession. The list is separated by department, and put in donor order in descending accession value order, and it must have page numbers.

The list includes
- Curatorial department
- Name of donor or funds used to purchase the object
- Classification
- Artist, citizenship
- Title
- Object date
- Dimensions
- DIA accession number
- Accession value
- Curators market value (if the value is over $25,000 two outside appraisals of market value)

The same list is used for Collections Committee, Board of Directors, Arts Commission.. (Examples of the lists are in registrar's binders, and past Minutes.)

A copy of list should be kept in the registrar's computer file and in the CC/BD Binders catalogued by year.

DEACCESSIONED OBJECT LEAVES THE BUILDING

By DIA Collections Management Policy, all deaccessioned objects are sold at public auction or transferred to a public institution collection. City of Detroit and State of Michigan museums are favored over out of state institutions for transfer objects. When offered at auction the object will be noted as, "The Property of the Detroit Institute of Arts to be sold to benefit the acquisitions fund" in all auction notices and publications.

REGISTRARS' GUIDELINES FOR MANAGING THE DEACCESSION PROCESS
THE DETROIT INSITUTE OF ARTS

In keeping with American Association of Museum Recommendations, deaccessioned objects are never returned to their original owners, unless they have been repatriated following DIA policy and the laws of the United States of America. If there is interest on the part of the original donor/or relatives in obtaining the object, they should be informed of the date of the auction sale.

Any deviation in disposal methods must be approved by the Board of Directors in advance of the object leaving the building.

Curator prepares Outgoing Shipment Notice Form and sends to Registrar for processing. The form indicates the disposition (auction house or transfer location), and is approved by the director.

Registrar prepares lists of objects to send to auction, containing artist, title, medium, dimensions, and DIA accession number. List must reflect the DIA official record as noted in TMS. If the attribution of artist or title has changed, curator must submit a Reattribution Form for Board of Director approval. The reattribution can be done prior to, or at the same time, as the deaccession Board approval.

Donor names will not be released to the auction house unless otherwise approved by the curator in consultation with the director.

If the disposition method is transfer to another public institution, registrar prepares a transfer of title receipt, which is signed by DIA head registrar and the appropriate staff member at the receiving institution. The original must be filed in the DIA object record.

Head registrar reviews and signs auction contracts. If there are deviations from the standard contract, review and signature are in consultation with V.P. Financial Services.

Registrar verifies every object and writes outgoing condition report, ascertaining that the DIA accession number is properly painted or affixed to the object. In addition, a paper tag with DIA accession number is also affixed to each outgoing object. If the object does not have a DIA accession number affixed, registrar will request written verification from the curatorial department verifying the correct object.

Registrar makes outgoing packing and shipment arrangements. Cost of shipping and packing will be charged to the curatorial department to be deducted from the sale proceeds, unless auction house agrees to cover these costs.

TMS AND PAPER RECORDS ANNOTATIONED

Registrar codes object OUT of building on the date it departs, and verifies/annotates all other entries in the TMS record. The TMS status is changed from accessioned to deaccessioned.. Registrar creates a new TMS Deaccession Record, entering DIA approval dates (Board of Director's is the current final approval date since Operating Agreement between the City and DIA took effect, prior to that it was Arts Commission. Disposition method and auction house should also be entered into the TMS record

Registrar properly annotates Deaccession Activity Sheet, and all paperwork is added to the file. Curator supplies registrar with originals of any auction correspondence to be added to the paper file.

When object leaves the DIA premises, the registrar becomes the point person managing the process and copying all appropriate DIA staff. All correspondence, catalogue entries, auction catalogues and checks from the auction house must now be directed through the registrar, who will copy all appropriate DIA parties in a timely manner. Curators should encourage the auction house to notify the registrar.

REGISTRARS' GUIDELINES FOR MANAGING THE DEACCESSION PROCESS
THE DETROIT INSITUTE OF ARTS

ARRIVAL AT AUCTION HOUSE

Registrar prepares and sends Museum Receipt for Auction items, including artist name, title, medium, dimensions and DIA accession number for each object. Registrar should included in the Receipt's conditions/remarks section, the following statement:

The DIA requires all objects sold at auction to be noted in all auction notices and/or publications, as: "The Property of the Detroit Institute of Arts, sold to benefit the acquisitions fund."

Registrar writes a letter to accompany receipt stating: All catalogue entries must be approved by the DIA registrar before publication; catalogues must be sent directly to the registrar; a request that the auction house list all objects on their correspondence by the DIA accession number. The letter should also remind the auction staff that all correspondence from them should be directed to the DIA registrar.

ESTIMATES AND RESERVES

After receipt of the objects, the auction house will send a form listing high and low estimates for each object. Registrar will compare these to any earlier estimates submitted for the objects. A copy of this form should be immediately directed to the curator, and registrar should note any differences in estimated prices from earlier correspondence. The culf the estimates changed, the Auction house will then send estimates and reserves.

Compare estimates with any previous correspondence and the Recommendation for Deaccession form.

Send memo with the estimates and reserves to the Director and cc the department's Head Curator and the Head Registrar. Have the Director approve estimates and reserves by initialing and returning memo to your attention.

Notify the auction house in writing that the museum approves of the reserves. Usually the auction house will have a form to sign and return.

Make a copy of the cover of the catalogue and the page(s) referencing the object. This will be placed in the object file. Keep the catalogue until after the object is sold and payment is received. Forward catalogue to research library following payment process.

AFTER SALE

Auction house will notify Registrar concerning the results of the sale, follow up if the auction house does not call promptly.

Auction house will mail and or fax a list of items sold and their hammer prices. Compare the sale data with the details of the contract. Confirm that amounts match. (some auction houses will waive commission, insurance, or illustration fees).

Once you have **paper** results of the sale, send memo to the Director, with results of the sale and cc the Head Curator and Head Registrar.

If an object is unsold the auction house will call and or write with an after sale offer or a proposal for a new sale. You'll need to follow up with a memo to the Director/Head Curator/Head Registrar just as if it was a new sale (create memo with new estimates and new reserve for Director's approval. You should also include old estimates and reserves and first sale date in the memo).

If an object is unsold and offered in a new sale, create a second deaccession report for the new sale in TMS. Make sure to include in remarks of first screen that object was unsold and is awaiting new sale. Also, create a second green deaccession activity sheet for the new sale. Make sure to title "Reoffer".

DISPOSITION

A check from the auction house should be sent to the Head Registrar. The day the check arrives is the "Disposition Date" for the object.

Confirm that it is for the correct amount and that commission taken agrees with the signed contract.

Format memo to the Director and cc: Head Curator/Head Registrar/Head of Finance that the payment has been received. Include which department should be credited. (Example CC: Bill Neal, credit American Art Fund)

Make a copy of the check and sale statement for the file.

Hand deliver the actual check to Finance with sale statement and memo.

Complete step #8 on green deaccession activity sheet.

- Notification sent to concerned parties
- Check number
- Date received
- Net amount of sale
- Sale number
- Lot number

Sale Proceeds should be reported to the next Collections Committee and Board of Directors meeting. (See CC/BD binders for format)

POST SALE TMS UPDATES

Insurance value should be entered as 0 after sale notification is received
Update deaccession record
Sale/Lot number
High/Low estimates
Date of Sale
Disposition Date
Date reported to CC
Remarks should include hammer price, commission, and check number

❖ If more than one object is listed with one lot number only report the proceeds on the first accession number but __do__ enter the disposition date for each accession number. Under remarks, state that "Lot 2 included 21.1-2 and 21.4, see 21.1 for net proceeds."

Add the Deaccession History printout to the permanent object file and add a copy to the Donor/Dealer file if the object is a gift or bequest. If a printout is not available from TMS, make a copy of the green sheet and copy on pink paper so that it stands out in the file.

When you run the proceeds report off of TMS, export to Excel and include auction house location. You'll need to reformat to group together lots so that nothing appears as $0 and group by department with a department total.

❖ Any object that was resold in a second sale will not export out the net proceeds. You will need to input this by hand by cross-referencing TMS.

Note on the green sheet that TMS is complete and initial.

FILE BREAKDOWN

For objects that have sold and are no longer in the collection:

Double check that green sheet is complete.

Make copies of every green sheet onto yellow paper and put in Deaccession Binder. (Binder is organized by accession number)

Break down the deaccession file and place the material in the Registrar's object files, if no file exists for the object, create a new one.

Make a copy of the following information from the main file and place in each individual object file:

- A copy of the cover of the auction catalogue and page with lot information.
- Copy of the memo to the Director that has high/low estimates and reserve with Director's initials of approval.
- Copy of memo to the Director confirming hammer price and net proceeds along with copy of the check form auction house.
- Any information pertaining to commission taken by the auction house if not clear from the check.
- Any information concerning after sale offers made on a specific object from auction house.
- If the object was resold in a new sale, repeat above process but make sure it is clear that object was re-offered and sold in a new sale. (You should have this information in a formatted memo to the Director)
- Send auction catalogues to the library.
- Archive the general auction file, this should stay in the registrar's office for at least one year in case there are any questions. Include all shipping information, shipment receipts, museum receipts, and Art passes.

USE OF PROCEEDS

The registrar handling accessions will receive a Funds Designated Form from Finance. That registrar will update TMS with the use of proceeds.

PROCEDURE FOR SALE OF NON-ACCESSIONED WORKS OF ART

Must establish clear title.
Registrar will receive notification from curator.

Registrar establishes a file and starts a green Deaccession Activity sheet for the object (online form created)

Registrar is to find as much information as possible on the object including using the donor files, the card catalogues and curators file.

All of this research should be presented to the Head Registrar for final approval.

Recommended to Collections Committee, a list of recommendations for Deaccessions is provided

Presented at Board of Directors meeting and reported to Arts Commission

A copy should be kept in the registrar's computer file and in the CC/BD Binders catalogued by year.

Once the Head Registrar has approved the object, code the object as "inactive status" in TMS.

Complete the deaccession screen in TMS.

- Change to deaccessioned status
- Note Approval Dates (approval date 1 is CC, a. date 2 is BD, and a. date 3 is left blank)
- Enter disposition method and auction house
- Location = out of collection as of day of shipment
- Insurance Value should be entered as 0 as of day of sale after you receive notification of sold

PRE-SALE

Curator will recommend an auction house

Curator needs to submit an Outgoing Shipment form to confirm auction house and values

SHIPPING

Registrar arranges shipping and packing (cost of shipping and packing will be charged to the curatorial department unless auction house agrees to cover shipping and packing)

Registrar verifies every object, condition reports, numbers and attaches a paper tag to each object

ARRIVAL AT AUCTION HOUSE

Registrar sends Museum Receipt with conditions crossed off on back and front, include artist, and title. You must include on this form that the museum wishes for all objects to be referred to at auction as ""Property of the Detroit Institute of Arts, sold to benefit the acquisitions fund." The Head Registrar must approve any statement other than the above.

Attach letter with receipt notifying the auction house that we request that all checks and correspondence MUST BE sent directly to the Head Registrar.

Auction house will send a contract for each consignment. Read carefully and compare to past contracts. Have Head Registrar approve and sign if conditions are equivalent.

Auction house will then send estimates and reserves.

Registrar should compare estimates with any previous correspondence and the recommendation for deaccession form.

Send memo with the reserve and estimates to the Director and cc the department's Head Curator and the Head Registrar. Have the Director approve reserves and estimates by initialing and return to your attention.

Notify the auction house in writing that the museum approves of the reserves. Usually the auction house will have a form for you to sign and return.

Request that you receive a catalogue so that you can verify the estimates, lot number, object description and credit line.

Make a copy of the cover of the catalogue and the page(s) concerning the object. This will be placed in the object file. Keep the catalogue until after the object is sold and payment is received. Forward the catalogue to the research library following payment process.

POST-SALE

After the sale follow up with auction house for results of sale.

A post-sale results report should arrive from the auction house. Notify Director, cc: Head Curator, and Head Registrar with sale results memo.

If object is unsold, notify Director, cc: Head Curator, and Head Registrar, with reoffer date. Create second green deaccession activity sheet with new sale information.

DISPOSITION

"Disposition Date" is the day the check arrives. Confirm check amounts with contract and post-sale results report.

Make a copy of the check and sale report for file. Notify Director, cc: Curator, Head Registrar, and Head of Finance, that check has arrived. Hand-deliver the check to Head of Finance's office.

Complete step #8 on green deaccession activity sheet.

- Notification sent to concerned parties
- Check number
- Date received
- Net amount of sale
- Sale number
- Lot number

Report sale proceeds to the next Collections Committee and Board of Directors meetings.

UPDATE TMS

- Sale/Lot number
- High/Low estimates
- Date of Sale
- Disposition Date
- Date reported to Collections Committee
- Remarks including hammer price, commission, and check number

Add deaccession History printout from TMS to file. Note on green deaccession activity sheet TMS complete and initial.

FILE BREAKDOWN

For objects that have sold:

Double check that the green deaccession sheet is complete.

Make copy of green sheet onto yellow paper and put in Deaccession Binder.

Make a copy of the following information from the main file and place in individual files

- Green deaccession sheet
- A copy of the auction catalog cover and page with lot information
- A copy of the memo to the Director with high/low estimates, reserves, and Director's initials
- A copy of the memo to the Director confirming hammer price and net proceeds with a copy of the check from auction house.
- Any information pertaining to commission taken (settlement statement) if not clear from check
- Any information concerning after sale offers made on a specific object
- If the object was reoffered include memo to Director
- TMS fact sheet

Place all corresponding paperwork in donor file. If there is not a donor file one must be created.

Send auction catalogues to the library.

Archive the general auction file, this should remain in the registrar's office for at least one year in case there are any questions. Include all shipping information, shipment receipts, museum receipts, Art passes, and correspondence.

K Brinker 3.3.03

REGISTRAR'S DEACCESSION ACTIVITY FORM

Accession Number: Dept:

Artist:

Title:

1. Donor:

2. Clear Title/ Remarks:

3. Dir. Registration/clear title approval_______
   CFO/Unrestricted Funds approval______CEO/Director ___ ___
4. Collection Committee approval date_________
5. Board of Directors approval date:_____________
6. Director approval of disposition method_________
7. Deaccession Record created ________
8. Packing and Shipping arrangements:

9. Auction House/Sale date _________
   Or Transfer date:_____________

10. Sale Contract approval/Dir. Registration & CFO _____
11. Curator approval of sale estimate:
    Low________ High________

12. Reserve/Director approval date_____
    Reserve $___________
13. Contract/Reserve returned________

14. Disposition Notification Sent to:
    Director;_____Curator:___ CFO with check____

15. Check # Date Received:
    Net Amount of Sale $__________
    Sale # Lot#

16. Sale/Transfer reported to Collections Committee:_____

17. Use of Proceeds: TMS Record annotated___

Registrar's Signature
Date:

P. Watson, revised 7/2/2008

CURATORS' GUIDELINES FOR MANAGING THE DEACCESSION PROCESS
THE DETROIT INSITUTE OF ARTS

PURPOSE

These guidelines are meant to assist the curator by providing a step process for managing the deaccession process for collection objects. The guideline should be used in conjunction with the DIA's Collection Management Policy.

PRESENTATION TO COLLECTIONS COMMITTEE

All Objects for deaccession must have clear title, be approved by the Director, recommended for approval by the Collections Committee, approved by the Board of Directors, and reported to the Arts Commission.

- Curator obtains Chief Curator's and Director's preliminary approvals to submit objects for de-acquisition (deaccessioing).
- Curator gets two outside appraisals for objects valued over $25,000. For objects valued under $25,000, the Curator may assign the value, based on his/her knowledge of the field, recent auction house sales, etc.
- Curator provides Registrar with a list of proposed deaccessions. Registrar established clear title for each proposed deaccession.
- Curator checks the TMS cataloguing for each object. If attribution is incorrect, a Reattribution must be submitted before, or at the same time, that the deaccession is processed. As a rule known "fakes" are not deaccessioned.
- Curator and Registrar update TMS cataloguing. The 'Web Ready" check mark is removed from the record. The object must have a recent photograph, and all basic TMS cataloguing completed.
- If the proposed deaccession, was a gift to the Museum, the Curator writes to the donor(s) of the object(s), informing he/she that it is the Museum's intent to deaccession their unrestricted gift, and that the proceeds realized from the sale will be used to purchase art for the same department, and that they, the original donor, will be listed as "donor by exchange" in the credit line of the newly purchased object. The letter is sent to the last known address, by Registered Mail, Return Receipt Requested. The return receipt should be addressed to the Registrar. There is a standard letter format available from the Registrar or Chief Curator. Addresses can be obtained though the Director's Office, or the Registrar's Dealer/Donor files. If the donors are deceased, check with the Registrar and Chief Curator, for appropriate next of kin, and write to them. To assist the Registrar will check to see if we have previously deaccessioned other objects from this donor. All letters should be sent six weeks prior to the Collections Committee.
- Curator prepares a **Recommendation for Deaccessioning Form** (Share File or Filemaker Registrar's Forms, or hard copy from Registrar). Form must be completed and sent to the Registrar a minimum six weeks prior to the Collections Meeting. NOTE: The Recommendation for Deaccession Form is a confidential form used in-house only to support and document the deaccession process. The form is not presented to the CC, BD or AC Currently. Assistant Registrar, Sheri Brunk, manages deaccessions.

- Curator notifies Conservator if the value of the object is over $15,000 and requests a Conservation Report. Curator should check with Conservation to ascertain necessary lead time. All Conservation Reports should be completed 10 days before the next Collections Committee, so that they can be included with the CC Packets and mailed to Committee members before the meeting.

APPROVALS

- The Curator signs the Recommendation For Deaccessioning before giving it to the Registrar. The Registrar will obtain the remaining approving signatures as appropriate.
- The Registrar prepares a report of the proposed deaccessions for the Collections Committee Prep.
- Curator presents the deaccession at the CC Prep, The CC Prep is a preparatory meeting and gives the Curator opportunity to rehearse his/her presentation and get feedback from colleagues.
- Curator presents the proposed deaccessions to the Collections Committee Meeting. As a rule all deaccessions must be physically present for the Collections Committee Meeting or otherwise available for the Committee Members to view. Exceptions should be approved by the Director, and should be discussed beforehand at the CC Prep Meeting.
- Once approved by the Collections Committee, the deaccessions will be recommended for approval to the Board of Directors Meeting, once approved, they will be sent as informational to the next quarterly Arts Commission as part of the Registrars Report.

DISPOSITION OF DEACCESSIONED OBJECTS

- The DIA Collections Management Policy requires all deaccessioned objects be sold at public auction or transferred to a public institution collection, preferably in the Detroit or Michigan area. Any exceptions must be recommended by the Director and approved by the Board of Directors.
- When offered at auction the object will be noted as, "The Property of the Detroit Institute of Arts to be sold to benefit the acquisitions fund" in all auction notices and publications.
- Donor names will not be released to the auction house unless otherwise approved by the Curator in consultation with the Director and Chief Curator.
- In keeping with American Association of Museum Recommendations, deaccessioned objects are never returned to their original owners, unless they have been repatriated following DIA policy and the laws of the United States of America. If there is interest on the part of the original donor/or relatives in obtaining the object, they should be informed of the date of the auction sale.

CURATORS' GUIDELINES FOR MANAGING THE DEACCESSION PROCESS
THE DETROIT INSITUTE OF ARTS

OUTGOING PROCEDURES.

- Curator selects an auction house with the approval of the Director and Chief Curator.

- After Board of Director's approval, curator prepares an Outgoing Shipment Notice Form and sends to Registrar for processing. The form indicates the disposition (auction house or transfer location), and is approved by the Director.

- If the disposition method is transfer to another public institution, Registrar prepares a transfer of title receipt, which is signed by DIA Head Registrar and the appropriate staff member at the receiving institution. The original must be filed in the DIA object records.

- Registrar processes the object for shipping. If the shipping costs are not absorbed by the auction house, they will be deducted from any profits gained through the sale of the objects.

- When the object leaves the DIA premises, the Registrar becomes the point person managing the process and copying all appropriate DIA staff and annotating all records. All correspondence, auction contracts, catalogue entries, catalogues and checks from the auction house must now be directed through the Registrar, who will copy all appropriate parties and annotate all records. Curator should encourage the auction house to send everything through the DIA Registrar.

ESTIMATES AND RESERVES

- Registrar will seek Curator approval for all auction estimates. Reserves must be approved by the Director. The Registrar will notify the Curator of any "After Sale Offers" and seek the Directors's approval.

- Registrar will notify Director, Chief Curator, Curator and VP Finance & Accounting of all final sales. Director will report all sales to the Collections Committee when proceeds have been received by the Museum. All proceeds will be noted in the Museum Minutes and included in the annual Registrar's Fiscal Report.

PROCEDURES FOR SALE OF NON-ACCESSIONED WORKS OF ART

- Due to space limitations, the amount of time and money required to manages non-accessioned gifts, and more importantly the changing governmental stances on the reporting of gifts of kind to non-profit institutions, the acceptance of gifts "For Study and Possible Resale" should be avoided. The Director must approve all such gifts before they are brought into the building, and the Registrar should be consulted for space limitations and other concerns.

- When an object is accepted as a non-accessioned gift, the Curator must inform the donor in writing of the intention to sell the object at public auction and use the proceeds to replenish the collection.. The letter should be copied to the Director, Registrar, and Museum Membership Department.. The donor must be notified within three months of the object's arrival on museum premises. These objects will be reported as non-accessioned gifts to Board of Directors, Arts Commissions and included in the annual Registrar's Fiscal Report.

- Registrar issues deed of gift and establishes clear title

- Curator will send Outgoing Shipment form to Registrar

- Registrar will annotate all hard-copy and electronic records
- Registrar will make shipment arrangements and become the point person between the DIA and the auction house.
- Registrar will notify the Director, Curator and VP Finance Accounting when proceeds are received for the sale of the object.
- The sale proceeds will be reported to the Collections Committee Board of Directors and Arts Commission and included in the Registrar's Annual Fiscal Report.

DETROIT INSTITUTE OF ARTS

NAGPRA Consultation and Repatriation Request Principles and Procedures

The Native American Graves Protection and Repatriation Act (Public Law 101-601) (NAGPRA), enacted by Congress, contains provisions relating to human remains and cultural items, as therein defined, including among other things, the acquisition, possession, ownership, inventory, and repatriation of such items, and the responsibility of certain museums having an interest therein. Set forth below are the Detroit Institute of Arts (DIA) general principles and procedures guiding the museum's collection, use and repatriation of human remains and cultural items of Native Americans within the scope of NAGPRA and all its most current amendments and additions.

Relations between the DIA and Native American peoples will be conducted with respect for the human rights of Native Americans and for the values of historic research, public education and exhibition.

1. The DIA will strive to resolve questions of the disposition and treatment of human remains and cultural items through cooperative and timely discussions between the museum and all interested Native Americans recognized under NAGPRA.

2. The DIA will not knowingly acquire any item whose ownership or legality is questionable or whose circumstances are contrary to the practices of the DIA's most current version of its Collections Management Policy.

3. The DIA curator will compile inventories, as required by NAGPRA, and document and update relevant data pertinent to the collection of Native American human remains and cultural items. In addition, it will make these inventories available to potentially interested Native America groups recognized by NAGPRA. The museum will strive to promptly answer inquiries for information about its collection.

4. Requests for DIA catalogue records must be in writing and will be administrated by the museum's Department of African, Oceanic and Indigenous Americas (AOIA). Documentation may include database and hard copy collection records, catalogue documents from the supplementary accession files, registrar's records, and correspondence pertaining to collection documentation. Black and white prints and/or slides or photocopies of digital images will be supplied when available.

5. Appointments to view collections must be requested in writing through the DIA's Department of AOIA. Appointments will be scheduled in a timely manner as staff time allows. The appointment will be facilitated through submission of lists of objects to be examined. Tribal representatives should request lists pertaining to objects attributed to their tribe through written request to the museum in advance of their appointment (no.5). Visits to collection storerooms will be limited to delegations numbering no more than six individuals and must be accompanied by the museum's curatorial or registration staff. The curator will compile a written report to document the visit. A copy will be available to the delegation on request. These guidelines are in keeping with overall DIA Procedures for visiting scholars informed by the overall principle that the collections and its documentary record shall always be accessible to responsible researchers within the limitations imposed by proper administration of staff time.

6. Request for repatriation must be submitted in writing and should include the following information:

    A. Evidence that the tribal group or individual making the claim has the tribal authority to proceed.

    B. Independent evidence (in addition to DIA documentary records, which may so indicate) that the object fits the statue definition of cultural remains, a sacred object or an object of cultural patrimony.

    C. Identification, cultural authority and tribal authorization of those individuals who made that determination for the tribe.

    D. Evidence that the tribe is the owner of the requested object.

    E. Evidence that the DIA does not have rights of possession.

    F. Evidence that the tribe is culturally affiliated with the request object.

7. Upon receipt of a repatriation request, the museum's curator of the Native American collection shall send a letter to the tribe acknowledging the claim. Additional information may be requested if necessary. Written notification will be sent to the tribe that upon completion of the request (as outlined above) the DIA will begin to make the determination whether the item(s) meet the criteria mandated by 10.10 (a) or 10.10 (b) of the final rules within the ninety day statuary maximum.

8. The curator in consultation with the director and legal counsel, will research the facts of the claim, circumstances of acquisition, the statuary legality of the claim, and any other pertinent issues. The curator will also research and if appropriate notify all other potential claimants. If it is determined by the curator, director and legal counsel that property identified items are subject to repatriation under the law, and that the claimant is the sole property affiliated claimant, the item(s) will be recommended to the museum's Collection Committee and the Board of Directors for deaccession from the museum's collection. The deaccession will follow all procedures identified in the DIA's Collection Management Policy. Claimants will be notified in writing of the recommendation for deaccession with the date for anticipated completion of the process; i.e. the date of the Board of Directors meeting at which the deaccession proposal will presented and vote upon.

9. The DIA's registrar will make arrangements for the formal transfer of title, and shipping of the repatriated item(s). The registrar will notify the National Park Service to draft a Notice of Intent to Repatriate to be published in the Federal Register.

10. If the curator, the director, and legal counsel determine that the item(s) does/do not meet the criteria for repatriation under NAGPRA, the claimant will be notified in writing within the ninety-day statuary maximum. The letter will include a detailed and explicit description of the facts of the claim, as recognized by the DIA, with reasons why the request has been denied. The claimant will be invited to clarify the facts of the claim.[1]

[1] P. Watson/D. Penney
1999; updated 2012 K. Dziurman

LONG-TERM LOAN PROCEDURES

1) Long-term loan Proposal Form -

   a) Curator fills out top section of form and forwards entire form to Registrar. SEE ATTACHED SAMPLE.
   b) Registrar fills out remaining sections (forward to Design Dept. only if there are costs associated with installation). Registrar makes sure that all sections of form are complete, including the Curatorial section at top (e.g. insurance value, duration of loan, etc). Insurance estimate is usually "0", covered on DIA general policy. Shipping figure should reflect round-trip costs.
   c) Registrar forwards completed form to Chief Curator, Director, with attached note which reads -"Please sign and date indicating your approval and circulate to next person listed. When all have signed please return to me." An additional cover note may be attached if there are any additional or extraordinary circumstances associated with the loan that need to be explained – i.e. it is already in the building for an exhibition and is being converted to long-term loan. A photocopy of the Proposal Form, marked with the date it was circulated, is kept in the "Pending Long-term Loan" section of files.
   d) Registrar distributes signed copies. Original-Registrar; Copy 2 – Curator, Copy 3 – FS Administration [if costs associated with loan, otherwise discard this copy].
   e) Curator may or may not send an Incoming Shipment form with Proposal Form.

2) Long-term loan Agreement Form –

   a) Registrar completes a Long-term loan agreement form for the object and sends it to the Lender for signature, prior to shipment of object. In top blank section of form, type expected loan period. If loan might be renewed at the end of loan period, type "Loan renewable by agreement of both parties." Photocopy of form is kept with signed Loan Proposal in the "Pending Long-term loan" section of files.
   b) Registrar countersigns loan form after signed copies are received from Lender, and distributes copies: original – Registrar; Copy 2 – Curator, Copy 3 – Lender. Make sure Lender has included all necessary information (insurance value, credit line, etc.), and that they have not inserted any conditions to which the DIA cannot agree, before countersigning!
   c) Send an insurance certificate to the Lender with the final copy of the Loan Agreement form.

3) Incoming Shipment –

   a) Make shipping arrangements, and hold file in "Pending Incoming" section until object is received: <u>Local deliveries</u>: by local fine art shipper – i.e. ArtPack or Travel Art. Registrar goes to supervise packing and do condition report. <u>Out-of-town</u>: usually via fine art shuttle, sometimes via air freight, depending on location, value, fragility. On occasion, a courier is required by lender but must be agreed upon in advance.
   b) An Incoming Receipt is sent to the Lender after object is received. NOTE: the Michigan Abandoned Property Act applies to Long-term loans. Ask Lender to provide the Lender's Designee information.

c) T# is assigned, polaroid taken, object tagged, crate marked and saved by Packing Room, Condition Report written by Registrar. Polaroid is attached to Condition Report. Object is entered on computer and assigned incoming location: N170 (Blue Room) or off-dock.

d) Secretary or Registrar types yellow file card and file folder label. Card is filed in Long-term loan card box, in numerical order, by Department. File folder is filed alphabetically by Lender under appropriate Department.

NOTE: there is a special section at the front, preceding the Department listings, for Metropolitan Museum of Art and Manoogian Collection loans. These items have multiple objects spanning more than one Department and they are renewed annually. The individual object files are filed in the Department section, and the annual renewals and updated insurance certificates for the whole group of loans are filed in the front section.

4) Outgoing Shipment –

a) Curator sends Registrar blue Outgoing Shipment form, or lender calls and requests return.

b) Registrar makes return shipping arrangements and writes outgoing Condition Report. If local return, Registrar goes to Lender's home to supervise return and do a condition report.

c) Card is pulled and placed with file folder in "Pending Outgoing Shipment" section of files.

d) After object is returned to Lender:
-Object is coded to "Inactive" status on computer and location is changed to OUT. A note is put in the remarks section of the location record such as "Returned to Owner".
-Card is filed in inactive card box.
-Outgoing receipt is sent to owner.
-File is moved to "Pending Return Receipt" section.

e) When Lender returns signed receipt, file folder is cleaned out. Paperwork is stapled together, with the signed receipt and Outgoing Shipment form on top, and is filed in the Dealer/Donor files.

NOTE: DIA pays all costs associated with long-term loans, unless Lender agrees to pay as part of initial loan agreement. If object is to be returned to someone other than the Lender, Lender must send written letter of authorization. DIA is responsible only for the cost of return to the **same or similar location.** (Eg. If local lender wants to send their loan to Sotheby's in New York for sale, they are responsible for the costs to crate and ship. DIA sometimes helps to arrange packing and shipping on behalf of lender, however, it is preferable to release the object to the lender and refer them to local packers and shippers. DIA does packing only if original packing crate exists.) If Lender moves and notifies us of move in advance, or sells or transfers the loan, we may choose to keep the loan and agree to pay additional costs when the loan is returned.

5) Physical Inventories and Renewals: procedures to be added

6) Outgoing Loans during long-term loan period: procedures to be added

T. Segal 11/16/99, updated 8/7/03

LONG-TERM LOAN PROCEDURES FOR CURATORS

1) Curator discusses loan with Chief Curator and /or Director. Special consideration should be given to any restrictions on the use of the loan and/or any costs associates with the loan.

2) Before the proposed loan is shipped, the Curator initiates the Long Term Loan Proposal Form as follows:

   a) Curator completes the top section of the Long Term Loan Proposal Form, indicating all tombstone information about the proposed loan, insurance value, time length of loan, as well as the lender's name, address, phone number, and designee. The form is available in the FileMaker Forms File and in the Share File, or it can be obtained from Terry Segal (Registrar for Long Term Loans). Curator forwards the form to Terry.

   b) Long-term loans are generally made for at least 6 months and no more than three years at one time. They can be renewed for subsequent periods of 6 months to 3 years, after review by the Curator and Registrar and the issuance of new loan forms. Under special circumstance and with Director approval, long Term Loan periods may be contracted for 5-year periods.

   c) Registrar fills out remaining sections of the Long Term Loan Proposal and forwards to Design Dept. (only if there are costs associated with installation). Registrar makes sure that all sections of form are complete, including the Curatorial section. Registrar estimates the shipping, packing costs associated with the loan and notes them on the Form.

   d) Registrar forwards completed Form to Chief Curator and Director for signature approval. Any accompanying information should be attached to the Form. After circulation and signatures, the completed form is returned to the Registrar.

   e) Registrar distributes signed copies.

   f) The long Term Loan Proposal takes the place of the Incoming Shipment Form, which can be dispensed for loans.

   g) Registrar contacts Lender and makes packing, shipping arrangements and if possible usually goes to the Lender's home to condition the work before it arrives in the building. All incoming shipment arrangements must be made by the Registrar

3) The Registrar initiates the Long Term Loan Form

   a) Registrar completes a Long-term loan Agreement Form for the object and sends it to the Lender for signature, prior to shipment. The Loan Form outlines our agreement and conditions for the Lender, and any conditions the Lender may require. It also contains the agreed upon insurance value. The Lender signs and returns the Form in an envelope provided with the packet.

b) Registrar countersigns loan form and distributes copies: original – Registrar; Copy 2 – Curator, Copy 3 – Lender.

c) Registrars mails Lender's copy of the Loan Form with a certificate of insurance for the specified amount and loan time.

4) Incoming loan arrives in the building

   a) Registrars received and registers loan into the building (assigns a temporary holding number, tags the object, conditions, measures, takes a digital photograph, and creates hard copy and computer files for the loans, with the location noted, and saves the packing box if appropriate.

   b) Registrar notifies curator of object's arrival and initiates ArtMove

   c) Registrar sends Lender a Museum Receipt.

5) Registrar and Curator review the loan when the loan period expires for renewal or return.

6) If renewed, Registrar completes a new condition report and sends Lender an updated insurance certificate as well as any other relevant paperwork.

7) If slated for return, Curator prepares an Outgoing Shipment Form and sends to Registrar.

   a) Registrar makes all return shipping arrangements and writes outgoing Condition Report.

   b) All loans must be returned to their owners unless the Registrar receives a written, signed notification of transfer of title of the loaned work.

   c) Registrar inactivates the loan, annotates the written and hard-copy records, and send an Outgoing Museum Receipt to the Lender.

8) DIA pays all costs associated with long-term loans unless curator notifies the Registrar of alternative arrangements. The DIA is responsible only for the cost of return to the same or similar location.

9) Registrar performs periodic physical inventories of all long-term loans on DIA premises.

REGISTRARS' PROCEDURE FOR OUTGOING DIA LOANS
THE DETROIT INSTITUTE OF ARTS

Before loan is approved

1. Potential borrower sends DIA Director **official loan request letter**. All official loan request letters must be addressed to the Director and specify objects for loan, venues and dates of proposed exhibition. All request letters must be received a minimum 6 months in advance of the proposed shipping date. Non-specific letters/so-called "will you loan in principle letters" will be acted on a "case by case" basis. They will not proceed in the loan approval process until the Director receives an official loan request letter.
   Director's office sends copies of all documentation to the registrar for outgoing loans (ROL). ROL prepares an acknowledgement letter to the potential borrower for the director's signature. DIA policy is all correspondence regarding outgoing loans is from our director to the borrower's director. The only exception is registrar to registrar correspondence. Acknowledgement letter is copied to curator, conservator and registrar (originals and attachments stay with registrar). ROL receives this packet a minimum of 5 months prior to the outgoing loan date.
2. ROL prepares **pink Loan Processing Form** (LPF). ROL records recommendations, noting proposed shipping arrangements, courier or crating comments, and forwards to curator for approval.
3. **Curator** approves/refuses loan, completes the comments section, indicates insurance value, signs, dates and returns LPF to ROL.
4. ROL forwards LPF to **Conservation** Lab for additional comments.. Simultaneously, ROL prepares loan file and writes to requestor indicating loan is under review and encloses **"Conditions Governing Loans"** form for their signature. ROL also requests borrower's **facility report** and borrower's loan agreement. ROL informs requestor that all paperwork must be in place, and shipping/insurance details approved before loan can proceed to Director and our Board of Directors' approval.
5. **CSL** examines piece, approves/refuses loan, **recommends treatment**, records cost of treatment on LPF, and returns the form to ROL.
6. **ROL reviews/approves** borrower's facility report; ascertains shipping/insurance arrangements proposed by borrower, and makes courier recommendations by approving and noting appropriate section on LPF.
7. **ROL meets with Head Registrar** twice monthly to discuss details of outgoing loans, courier assignments, and any departures from standard packing, shipping, insurance procedures, including possible acceptance of foreign indemnity coverage.
   Head Registrar reviews LFR at these meetings, and prior to Director approval.
8. ROL forwards completed Loan Request Form to Director two weeks in advance of Board of Directors meeting. **Director reviews** information on completed LPF and approves/refuses loan, signs and returns to registrar.
9. ROL updates **insurance values on TMS** and obtains photograph of proposed loan.
10. ROL prepares **Art Loan List for Board of Directors** approval, and sends to Director's office by specified Board deadline.

After loan is approved by Board of Directors

11. ROL drafts loan **approval letters** for Director's signature to all lenders. Copies of the final approval letters go to registrar, curator and conservator with completed Loan Processing Form to each department for their reference.
12. ROL completes, signs, and **returns borrowers loan forms**; notifies borrower of all shipping, insurance and courier requirements.
13. ROL obtains and approves **insurance certificate/or has borrowing institution invoiced** for insurance premium. Payment/certificate must be received before loan leaves DIA. The DIA should be noted as additionally insured on all borrowers' certificates of insurance.
14. ROL recruits couriers from DIA Courier List
15. ROL makes **shipping arrangements** with lender and freight forwarder, and keeps courier copied and informed.
16. ROL prepares **outgoing shipment notice** and sends to packer; discusses packing methods.
17. ROL prepares an **ArtMove** and copies conservator, curator to move the art object to Conservation and to Packing Room/or staging area..
18. ROL puts **framed dimensions** on TMS as they are received from Packing/Curator.
19. In consultation with the curator, ROL confirms that web fields have been correctly entered into TMS, makes any necessary corrections, and enters a check in the TMS web ready field
20. ROL/conservator/courier does **outgoing condition report**.
21. Object is **packed** by packer and ROL is notified when complete
22. ROL prepares all outgoing paperwork including **courier's itinerary**, receipt, attendance form and other pertinent information. ROL meets with courier one day in advance of trip to confer details and deliver itinerary.
23. ROL has **crate and courier transported** to airport/or deposited on truck for shipping.
24. ROL **codes object out** of the building in TMS.

Returning loans

25. ROL makes all **return shipping, courier arrangements** with borrower and freight forwarder.
26. ROL notifies security, ArtMove and curator that the loan is returning.
27. ROL or another registrar **receives crate** into the building signs for it.
28. Museum Techs notify ROL when art object is unpacked/or calls for unpacking to be witnessed on request.
29. ROL **codes object into building** on TMS..
30. ROL/courier/conservator completes final **condition report**.

31. ROL prepares **ArtMove** copying curator, conservator to have object returned to gallery/storage.
32. ROL receives **catalogue** and forwards to the Research library and curator.
33. ROL enters **exhibition history** into TMS.
34. ROL coordinates **payment of invoices** with Accounting Department
35. ROL **breaks down file** and disperses paperwork to appropriate object files.

P. Watson
November 2000
Revised December 2001
Revised July 2003
Revised August 26, 2005

CURATORS' PROCEDURE'S FOR OUTGOING DIA LOANS
THE DETROIT INSTITUTE OF ARTS

Summary

The policy for managing outgoing loans from the collection is noted in the DIA Collections Management Policy. Approval requires a multi-step process originating with a written request from the borrower to the DIA Director. The Director notifies the Registrar who manages the loan.. The Registrar circulates the request to the Curator for approval or decline. Additionally the Registrar and Conservator make recommendations to approve or decline the loan. Once approved by Curator, Conservator and Registrar, the request is returned to the Director for initial approval, and inclusion in the Board of Directors Minutes. Final approval is by the DIA Board of Directors and the Museum Director /CEO.

Requesting a loan from the DIA and the approval process

1. **Curators** should direct all potential borrowers to contact the DIA Director with an official loan request letter. All official loan request letters must be addressed to the DIA Director and specify objects for loan, venues and dates of proposed exhibition. Request letters must be received a minimum 6 months in advance of the proposed ship-out date in order to have adequate time to process the loan.

2. Director's office sends all documentation to the Registrar for Outgoing Loans, staffed by Senior Registrar, Michelle Smith. Registrar prepares an acknowledgement letter to the potential borrower for the Director's signature, and requests loan forms, insurance arrangements, and a copy of the borrower's as well as proposed venue's Standard Facility Reports.

3. Registrar forwards a copy of the borrower's loan request letter and our pink, DIA Loan Request Form (LRF), to the **Curator**. The Registrar will note proposed shipping arrangements, packing and courier recommendations on the LRF. The registrar's recommendation for approval or decline is based on the suitability of the borrower's (and venue's, where applicable) premises as noted in their Facility Reports, the proposed shipping arrangements, the borrower's loan stipulations, and their willingness to accept our DIA conditions governing loans. The Registrar recommends or does not recommend a courier based on the requirements as outlined in the DIA Courier Policy (section II A-F).

4. **Curator** approves/declines the loan by completing the comments section of the LRF indicating the current insurance value of the proposed loan. **Curator** updates the value on TMS. Curator's approval to loan should be based on the worthiness of the exhibition, the museum's willingness to part with the object for the designated time period of the loan, any political concerns, and the curator's knowledge of the condition of the object. The **Curator** may approve the loan but limit the number of

venues. The curator recommends or does not recommend courier accompaniment based on the requirements of the DIA Courier Policy. The **Curator** returns the original LRF to the Registrar in a timely manner (2 weeks or less is requested).

5. If the **Curator** declines the loan, the Registrar will write a letter for Director's signature stating the reason for decline. DIA Loan Policy requires that all correspondence regarding the approval or decline of the loan must come from the Director not from the **Curator** (Collections Management Policy, section VI C 6.) All such correspondence will be copied to the **Curator,** Conservator, and Registrar. If the **Curator** has approved the loan, the Registrar will send the original LRF to the appropriate Conservator for recommendation to approve or decline.

6. The Conservator will examine the object, and base their recommendation to approve or decline the loan on the physical condition of the object and its ability to withstand the rigors of the proposed travel and time period away from the museum. The Conservator notes any treatment necessary for the loan and costs associated with that treatment on the LPR. The Conservator may recommend approval with certain installation and courier requirements noted. The Conservator may also recommend limiting the amount of venues for the loan based on the object's condition. Conservator returns the LPR to the Registrar.

7. After approval by the **Curator** and recommendations from the Conservator and Registrar has been recorded on the LRF, the Registrar will send the LRF to the Director for initial approval. The Director's final approval will be recorded after the loan has received Board of Directors approval. In preparation, the Registrar will enter the request on a Loans List and include it as part of the Registrars Report to be submitted to the next Board of Directors Meeting. The Board of Directors must approve all loans before they are granted. All loan approval letters will come from the Director and be prepared by the Registrar. The **Curator**, Conservator, and registrar will be copied on all such correspondence regarding the approval or decline of the loan. Once completed the Director will approve and sign the LRF and return it to the Registrar.

After loan is approved by Board of Directors

8. The Registrar will manage the loan process. The Curator, Conservator and any appointed courier direct their requests, comments, questions etc., through the DIA Registrar rather than contacting the borrowing institution themselves. The Registrar will make all packing, shipping, installation, courier, and insurance arrangements, and insure that all paperwork has been signed, returned and distributed.

9. The Registrar for Outgoing Loans meets with the Head Registrar twice monthly to discuss loan details. The Director of Registration will approve any departures from standard procedures in consultation with appropriate staff, such as the Chief Curator, Curator, Conservator and/or Director, as the situation may dictate.

10. If courier accompaniment is a requirement of loan, as a rule the first choice of accompaniment will be offered to the curatorial department head, if he/she is available. When not available, if there are no special circumstances dictating the necessity of Conservator or Registrar as courier, all assignments will be distributed by the Registrar to all eligible couriers. Based on the couriers' knowledge and abilities, courier assignments will be evenly distributed by the Registrar from the eligible volunteers. Any suggestions for courier assignments should be forwarded to the Registrar.

11. If the curatorial department head is not the courier, the Registrar will inform the Curator who has been assigned.

Returning loans

12. Registrar makes all return shipping, courier arrangements, and submits an ArtMove with a copy to the **Curator** notifying the object's return, unpacking, conditioning, and movement arrangements. If the **Curator** wishes to be present for the unpacking, or otherwise notified, he/she should convey their requests to the Registrar.

13. Registrar receives the exhibition catalogues and forwards a copy to the Curator and one to the Research Library.

14. Registrar enters exhibition history into TMS, annotates object hard-copy and electronic records and files paperwork.

15. **Curator** reviews the basic record cataloguing for the loaned objects and checks the "Web Ready" Box in TMS. Unless there are specific issues preventing it, all DIA objects should be made ready for the Web Collection at the time of loan.

P. Watson
10/04/2005
K. Dziurman
07/19/12

Detroit Institute of Arts

GUIDELINES FOR CURATOR AND REGISTRAR INTERACTIONS FOR DIA ORGANIZED EXHIBITIONS (Pages 1-3) & FOR NON-DIA ORGANIZED EXHIBITIONS (Pages 4-5)

PURPOSE

These Guidelines are meant to be a broad outline of expectations and responsibilities for receiving and utilizing information as Curators and Registrars work together on both DIA organized exhibitions and non-DIA organized exhibitions. The Guideline does not encompass all steps for Registrars and Curators, but rather outlines those areas where they need to collaborate.

Minimum 2 years in advance of exhibition

- Curator informs Registrar of exhibition concept, type of lenders (private, institutions, countries, venues) and discusses a general overview (this may occur in a meeting with many departments).
- Curator gives Registrar "final" checklist with artist, title, dimensions (real or estimates), medium, lender full names, addresses and phone numbers, and actual or approximate insurance values.
- Curator provides Registrar with photographs or color photocopies of each object in the exhibition.
- Exhibitions Registrar prepares shipping/packing/courier budget based on preliminary checklist supplied by Curator. Copies distributed to Curator and Exhibitions Coordinator.
- Registrar starts and maintains hard copy records file for exhibition that can be accessed as needed by other staff. Registrar may also prepare shared electronic files.
- Curator supplies Registrar, Collections Manager, Conservator, Exhibition Designer with information regarding mounts, hanging devices and other pertinent installation plans/needs. Sometimes this information is requested and/or sent directly to Registrar or Exhibitions Coordinator for distribution.
- Loan agreements prepared by Registrar and mailed with loan request letter signed by Director, and copied to the Curator and Registrar. The DIA Standard Facility Report is included in the packet. Registrar retains copies of all for files.
- Registrar sends letter to Registrar of each lending institution, outlining proposed insurance arrangements, and requesting insurance values, and shipping information needed for U.S. Indemnity application/or private insurance coverage. Curator is copied on letter.
- Curator assists Registrar, when necessary, in obtaining insurance values and other pertinent information.

Minimum 6 mos. in advance of exhibition

- Registrar reviews all lenders' loan conditions. Registrar copies all conditions and signed loan forms to Curator, and other staff as relevant. Registrar may also create a spreadsheet for shared use and easy access to this information for staff.
- If venue exhibition contracts exist, Registrar reviews and discusses areas of concern with Curator and Exhibition Coordinator.
- Curator supplies Registrar with provenance information necessary for foreign loans for the application for U.S. Immunity from Seizure. Once the provenance materials have been supplied by the Curator, the Registrar completes the remainder of the Immunity from Government Seizure application and submits for approval.
- Registrar applies for and submits necessary permits (i.e., endangered species, etc) applications.
- Registrar updates budget for a final time with copies to Curators and Exhibition Coordination
- Registrar supplies selected packers with a final object list with mediums, and complete dimensions. Curators assist with dimensions as necessary. Registrar approves the proposed packing materials and methods, consulting with Conservator as necessary.
- Security concerns and requirements are coordinated with the DIA Chief of Security with Registrar, Conservator and Curator.
- Registrar hires trucking companies, customs brokers, off-premises security companies.
- Registrar supplies customs brokers with data.
- Registrar makes hotel reservations and or reserves blocks of rooms for visiting couriers..

3 Months in advance

- Curator, Exhibition Coordinator, or Exhibition Designer supplies floor plans of the exhibition space to the Registrar and the Collections Manager.
- Registrar constructs condition report book with photographs and photocopies for each object in the exhibition.
- Registrar finalizes all shipping details, such as carriers, dates, couriers, airport supervision, ground and air transportation with each lender and freight forwarder; reports to Indemnity Administrator as necessary.
- Curator assists Registrar, if necessary, in obtaining all final insurance values. Registrar arranges and purchases insurance coverage, when necessary.
- Registrar supplies each lender with an insurance certificate and/or U.S. Indemnity certificate; policies are also submitted upon request.

1 Month in advance

- Registrar chairs installation meeting with other team members, Collections Manager, Museum Technicians, Curator, Conservator, Building Operations representatives, Security Department representatives, Mount Maker, Exhibition Designer. Registrar prepares incoming crate lists for all shipments with numbers and dimensions and gives copy to Collections Manager.
- Registrar discusses crate storage needs with Collections Manager.

- Registrar/Conservator may travel to private lender's premises to condition and oversee packing and moving of privately owned (non-museum) objects. In some cases, Registrar will hire a contract person to fulfill these duties.
- Registrar implements shipping arrangements, and arranges courier schedule, and provides Curator and other pertinent staff with a copy of the schedule.

Exhibition arrives

- Registrar receives and signs for shipment on loading dock.
- Crated artwork is allowed to acclimatize for a 24 hour period before installation begins.
- Registrar notifies cleaning staff, all DIA, and security, that the exhibition galleries are restricted until installation is completed; Registrar requests additional security as necessary.
- Registrar acts as lead person within team of Curator, Conservators, Museum Technicians, Collections Manager, and visiting couriers, to implement and complete the schedule for unpacking and conditioning.
- Upon completion of unpacking and conditioning, Curator becomes lead person through the placement and installation process.
- Registrar confirms that we are in compliance with all lenders' requirements for object handling (light levels, environment, security, vitrines, etc.)
- Curator, Registrar and Conservator devise a "walk through' schedule to monitor the condition of the artwork in the exhibition. Any damage must be reported immediately to the Registrar
- Registrar plans the deinstallation and movement to the next venue or the dispersal making all necessary shipping arrangements.
- One month before closing Registrar chairs Deinstallation meeting with other team members to devise and share plan for the deinstallation

Exhibition close

- During deinstallation, Registrar acts as lead person in implementing the Plan, including the deinstallation of objects, condition checks, and the re-packing of the art objects with the aid of Conservators, Visiting couriers, Collections Manager, Museum Technicians. Curator usually is not in the gallery during the deinstallation process.
- Registrar releases all shipments
- Generally a Registrar/Conservator team will travel to subsequent venues with the exhibition for installation and deinstallation.

GUIDELEINES FOR NON-DIA ORGANIZED EXHIBITIONS
A.K.A. CANNED EXHIBITIONS

1 year in Advance of Exhibition.

- Curator informs Registrar of exhibition concept, any additional loans, and discusses a general overview (this may occur in a meeting with many departments).
- Registrar sends Exhibition Organizer a copy of the DIA Standard Facility Report, and answers any questions Organizer may have

- Registrar gets copy of the proposed exhibition contract between the organizer and the DIA and review/approve insurance, shipping, installation, sections with Curator and Exhibition Coordinator.
- Registrar prepares budget for any packing, shipping, insurance, installation costs not included in the Exhibition Participation Fee and submits to Curator and Exhibition Coordinator.

<u>6 Months in Advance of Exhibition</u>

- Curator or Exhibition Coordinator supplies Registrar and Collections Manager with installation information, i.e. mounts, special hanging devices, etc., or specific installation requirements
- Organizing institution supplies Registrar with exhibition checklist, crate and shipping lists. Registrar distributes to Curator, Collections Manager and all pertinent staff.
- Registrar issues loan forms for any additional loans not part of the Organizers Show. See Above for procedures for issuance of loan forms.
- Registrar contacts Organizer's Registrar and confirms that all paperwork is in hand; that a condition book will travel with the exhibition; confirms courier plans; inquires if there are any problem objects to be aware of or additional special installation needs, or individual lender's requirements. Once received, Registrar distributes to Curator, and all pertinent staff.
- Registrar makes hotel reservations for couriers, as specified by contract with organizing institution.

<u>Six to Three months in advance</u>

- Floor plan of the exhibition space supplied to Registrar and Collections Manager by Curator or Exhibition Designer or Exhibition Coordinator.

<u>1 Month in advance</u>

- Registrar chairs Installation Meeting with other team members, Curator, Collections Manager, Museum Technicians, Conservator, and any other pertinent staff; Installation Plan is developed and distributed.
- Registrar makes arrangement for empty crate storage during duration of the exhibition

<u>Exhibition arrives</u>

- Registrar receives and signs for shipment on loading dock
- Registrar/Museum Techs secure crates in lock up for 24 hour acclimatizing period.
- Registrar notifies staff, and security, informing them that the exhibition galleries are now restricted until after installation is complete. List of who is allowed in galleries during installation given to Security by Registrar.
- Registrar becomes lead person through the unpacking and conditioning process working in a team with Curator, Collections Manager, Museum Technicians, Conservator, and any visiting couriers

- Registrar and visiting couriers do condition checks for each object, consulting with Conservator as problems arise.
- At completion of unpacking and conditioning, Curator becomes lead team member through the placing and installation process. Note Visiting couriers are not to be left in the exhibition galleries alone during installation.
- Curator/Registrar/Conservator devise walk-through schedule for the duration of the show.
- One month before exhibition closing Registrar chairs deinstallation meeting with other team members to devise and distribute the plan.

Exhibition closes

- Registrar/visiting courier does outgoing condition checks, referring any problems to Conservator.
- During deinstallation, Registrar acts a lead team member through the deinstallation and re-packing process.
- Registrar releases shipment

Updated: K. Dziurman/July 2012

THE DETROIT INSTITUTE OF ARTS COURIER POLICY

POLICY AND PROCEDUES

I. The Courier Policy is maintained by the DIA registrar along with other collection management policies. The chief curator, head registrar, and chief conservator with final approval from the director will agree upon any changes to the policy.

II. The requirement of courier accompaniment is solely based on what is best for the safety of the art, and is determined in consultation by the curator, conservator, and registrar. Courier accompaniment of art work will generally be required when one of the following areas applies:

A. All loans to foreign countries will generally require a courier.

B. Fragile art objects, whether by construction or formation, size, materials, deterioration by age or abuse, and/or requiring special handling will require a courier.

C. Rare art objects being irreplaceable and unique, politically or culturally sensitive, of extreme artistic or historic worth or of high value for any other reason will require a courier.

D. Difficult shipping routes that could potentially present a risk to art objects by exposing them to excessive movement, handling, changing climatic conditions, long travel distances or complicated routes, or other human or natural hazards will require a courier.

E. Some borrowers' facilities will warrant courier accompaniment of art objects, i.e. private galleries, or institutions lacking adequate building features, or appropriate personnel to receive, condition, and install art work will require a courier

F. In the absence of any of the above conditions, an art object with a high insurance value will require a courier. This will generally apply to objects valued at $800,000 and above.

III. Borrowers of DIA art work must agree to the following:

A. As the lender, the DIA will determine when a courier is necessary based on procedures in this policy.

B. The borrower will make the DIA and its courier fully aware of limitations, and requirements of any third parties to the loan such as insurance or national indemnity requirements, freight forwarding and transport companies, customs or import/export regulations, etc. The DIA registrar will ascertain that all parties are in agreement and also which museum will take responsibility for actions not covered by third parties. The DIA registrar will also convey any

special loan requirements to the Borrower, and assure that all arrangements for the movement of the artwork are understood by all parties in advance of the release for shipment.

C. All loan and courier requirements will be written onto the Borrower's Loan Agreement or outlined in the DIA Conditions Governing Loans Form.

D. The care and protection of the art work is the top priority and condition of loan.

IV. Eligibility for DIA couriers is based on the following:

A. All couriers must successfully complete specialized training prepared by the Registration and Conservation Departments.

B. Couriers will be a museum employee whose job duties include evaluating and reporting on the condition of art objects, as well as understanding objects' physical requirements, packing needs, handling and installation techniques. Couriers will have knowledge of all transport procedures.

C. The courier will be an individual in whom the museum has complete trust to execute all courier-related duties. The courier must understand that the museum is in effect bonding him/her for knowledge of the problems of the object and of the transit, for ability to withstand the rigors of travel, and for protecting the art object. The registrar will make the courier aware of and understand the responsibilities entrusted to him/her, and of all known potential hazards that might be encountered.

D. The courier must additionally possess certain personal qualities such as firmness, patience, stamina, and the ability to make intelligent decisions quickly. The courier must have the physical strength to execute all duties.

E. A courier list will be managed and maintained by the registrar. In keeping with AAM standards, directors, curators, conservators, registrars, and senior preparatory staff are the only employees eligible to be DIA couriers.

F. The selection of a courier for particular accompaniment will be drawn from the list by the registrar. The chief curator, chief conservator, head registrar, and/or the director as well as the responsible curator may make assignment recommendations based on the needs of the artwork.

This policy is adapted from the Registrars' Committee of the American Association of Museums, "Code of Practice for Couriering Museum Objects." as well as " Code of Practice for Couriering Museum Objects at the Detroit Institute of Arts, 1987, revised in 1991, 1995.

DETROIT INSTITUTE OF ARTS COURIER GUIDELINES

I. Assigning Couriers to Shipments

Registrar for Outgoing Loans (Michelle Smith) regularly emails a list of Outgoing Loans to each employee on the Eligible Courier List (see Courier Policy for terms of eligibility.) Generally the curator from the loaning department is given first offer. At other times, due to the nature of the art object, a conservator may be required to courier. Likewise, due to complicated shipping issues a registrar may be assigned. Others on the list may notify the Registrar for Outgoing Loans as well, if they are interested in the assignment. The primary consideration for sending a courier is always the safety of the art object. Secondary professional reasons such as research, gallery/museum visits, meetings with colleagues, courier training, etc., may also be considered but never at the expense of the art object. A courier should not accept an assignment unless positive that it will fit into his/her work schedule and they have received their supervisor's approval.

II. Once the Loan is assigned to a courier, the Registrar for Outgoing Loans will do the following:

Copy the courier on all correspondence relating to the loan.

Ask the courier or otherwise make arrangements to obtain the courier's travel ticket. All courier travel routes, carriers, departure/arrival dates and times must be approved by the Registrar for Outgoing Loans, based on the safety of the art object.

Advise the courier of monetary arrangements.

Arrange for the courier to do the outgoing condition report with the appropriate conservator.

Meet with the courier one to two days in advance of the assignment to discuss all pertinent information regarding the courier assignment.

Give the courier all the necessary paperwork, such as the Courier Itinerary with a day by day schedule of events containing contact names and phone numbers, as well as all necessary paperwork such as condition report with outgoing condition noted, photographs, receipts, pro-forma invoices, air ticket or information on where to get air ticket, etc.

III. Once the Assignment is Accepted the Courier will do the following:

Read and keep all correspondence forwarded by the Registrar for Outgoing Loans, or others involved with the movement of the artwork. Keep all information regarding the shipment confidential. Do not discuss content of the shipment with anyone.

Follow Registrar's instructions for air ticketing and monetary arrangements. Generally the courier will not request a DIA Travel Advance, because the borrower will give them their per diem on arrival. These details should be discussed with the registrar 3 to 4 weeks advance of departure.

Do the Outgoing Condition Report with the conservator, or for returning Objects, review the outgoing condition reports with the registrar and/or conservator/and/or the outbound courier.

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Before departure double check for all necessary paperwork for the art object(s) and for you, such as tickets, itinerary, passport, pro-forma, some travel money in the correct currency, condition report, receipts, photographs, etc.

IV. In Route with the Artwork

Travel by Truck

The courier needs to remain with the art object during on/off loading and during transit. If the courier does not feel comfortable at anytime with the way the crated artwork is being handled, it is his/her responsibility, to speak up immediately and give an alternate solution to the handler. All crates should be strapped to the inside wall of the truck and ideally they should be blanket wrapped. Crates cannot be stacked. The DIA uses only fine arts, climate controlled, air-ride suspension trucks with two drivers aboard. The climate control unit should remain running at all times. Once the shipment is locked at the loading dock, the truck doors should not be opened until arrival at destination.

The courier will ride in the truck with the drivers, or occasionally in a follow car behind the truck. Unless otherwise arranged by the Registrar, all truck transport move directly to destination making only short rest stops. At all rest stops, one of the drivers or the courier will need to remain with the truck. Should the truck breakdown, the courier should telephone Michelle Smith or Kim Dziurman, and should not leave the truck until further instructed.

Air Freight Shipments

The courier will usually be met by the freight forwarder at the airport in either the airlines cargo terminal or passenger luggage area. During all legs/transfers of air-freight, the courier will be met by a designated freight forwarder. The freight forwarder will be responsible for booking the freight, escorting the courier inside the freight terminal, and transporting the courier when he/she is traveling with artwork.

The courier must stay close/observe their shipment until the crate has been palletized or strapped into an airlines shipping container. It is not DIA policy to stack crates, although it is acceptable for the airlines to place soft packed paper or other lightweight boxes on top of our crates when building/loading the palette. Our crated artwork should not share a container or palette with plants packed in water or ice, or flammable products, or any shipments that might pose a danger to our artwork. Should issues as these arise, the freight forwarder will be able to assist.

Once palletized the courier will be transported to the passenger terminal, and should proceed to the gate. About 45 minutes (time varies) before flight time, the freight will be loaded into the belly of the plane. The courier should observe our freight being loaded from the window at the gate. In a few airports, the courier will be able to ride in a security vehicle onto the tarmac to watch the loading. In other airports, there are no windows at the gates for observing the loading. In those cases the freight forwarder will return to the gate to confirm that the freight has been loaded. If all else fails, the courier can discretely give the palette or container number to the ticket agent at the gate or the airline attendant aboard and ask that he/she confirm with the pilot that our freight has been loaded.

Air Hand-Carried Shipments

Small works of art are sometimes hand-carried by the courier, but this is extremely rare and not recommended. Tighter security regulations and inspections after 9/11 have made safe hand-carrying very difficult. As a rule the freight forwarder will then escort the courier through security to the gate, and remain there until the courier is on board and the plane has departed. When passing through security, the courier should be prepared to open the hand-carry for inspection, but he/she should ask to do so in private. The freight forwarder will be able to assist with these matters. The airlines will usually provide a room or at least a space behind a curtain for this purpose.

Hand-carried packages should be placed under the courier's seat or in the window seat next to the courier and strapped into that seat. Handcarried works of art should never be placed in overhead compartments on board the plane. Some larger hand-carried works of art can be placed in the business class/first class closet. In that case, the courier should request a seat next to or as near as possible to the closet. When traveling with a hand-carry, the courier must check their personal luggage rather than carrying it aboard the plane.

When a courier has custody of artwork (hand-carry or freight), he/she should never arrange for friends or family members to travel on the same flight. The courier cannot commence any personal or unrelated business plans until their courier assignment has been completed.

As of 2010, the DIA is a Certified Cargo Screening Facility and complies with all Federal/TSA regulations for shipping art on passenger aircraft. DIA Registrars, Collection Management staff and Security staff are the DIA staff participants in the program, having had Security Threat Assessments and intensive, re-current training. DIA couriers need not be CCSP participants in order to courier art work, but may need to abide by particular regulations. Couriers must also understand the types of Tamper Evident security that the DIA uses, as well as be familiar with the required paperwork, chain of custody, etc.

V. Arrival at the Borrowers' Museum

The courier will need to remain with the *crated artwork as it is unloaded and locked into a suitable art storage area on the borrowers'* premises, or at another agreed upon location. Once the crate has been secured the courier is free to leave.

Crated artwork should be allowed to acclimatize for 24 hours after the borrower takes possession. At the appointed time, the courier will return to the borrower's museum to oversee packing/unpacking; check and write a condition report; and oversee the installation/deinstallation of the artwork. The courier may be asked to unpack and condition at one time, and return hours or a day later to oversee the installation/deinstallation, therefore he/she should be prepared for such delays. It is not permissible for the courier to skip one of these tasks in this process. For example, a courier may not leave before the artwork is installed, etc. The courier must see the artwork coming out of the crate, do a condition report, and see the work installed on the borrower's premises. For returns the courier must be present for the deinstallation of the artwork, perform a condition report, see the artwork re-packed with original materials, and escort the piece back to DIA premises as outlined in the Courier Itinerary.

All DIA packing materials should be saved and stored for re-use in packing.

If the artwork is damaged during transit or on borrower's premises, the courier must call the DIA Registrar immediately. The courier should then fax or email a written report with photographs of the damage and any relevant packing materials. If the damage occurred in transit all packing materials must be saved.

VI. The Courier returns to the DIA

If returning with art, the courier must see the work locked into a secured and agreed upon art storage room. The courier will also see the work unpacked, and will do a final condition report, after the work has been allowed to acclimatize.

All paperwork should be returned to Michelle Smith, along with a completed Courier Report.

VII. Courier Tips

Couriers should wear professional but very comfortable clothing.
Layering clothing can be very helpful in changing climates. Low and comfortable shoes should always be worn when traveling with artwork.

The courier should travel with as little luggage as possible and should never travel with more luggage than he/she can carry themselves.
When traveling with a hand-carry artwork, luggage must be checked. When traveling with an air-freight shipment, it is best to carry your luggage aboard to save time at the other end.

The courier may not always be able to have regular meals at the usual times, therefore it may be helpful to carry small snacks.

As a courier you need to remember that you are the person who is totally responsible for the protection and safety of the artwork on its journey. Additionally, you are also representing the Detroit Institute of Arts. Couriers should be friendly, but also completely attentive, and he/she should not hesitate to ask that handling, packing, installing, etc be done differently, if in his/her good judgment/expertise, the artwork could be in jeopardy.

These guidelines cannot possibly cover every situation that you may incur as a courier. They are meant to the give the courier an overall picture of the process, and to outline what is acceptable practice.

Our couriers are always supplied with several telephone numbers to reach either Michelle Smith or Kim Dziurman should you need to obtain another opinion or confirm actions in a difficult situation. Do not hesitate to call if you are in doubt. In all situations however, the courier is expected to know appropriate handling, shipping and installation practices, and to think quickly and be ready to communicate requests politely, but firmly when it comes to the safety of a DIA loan.

The courier should be familiar with this document, our DIA Courier Policy, and any readings assigned by the Registrar or Conservator regarding courier assignments.

Updated: K. Dziurman, July 2012
P. Watson
May 23, 2005

CODE OF ETHICS FOR REGISTRARS

I INTRODUCTION

The authors of this Code of Ethics for Registrars acknowledge their indebtedness to Museum Ethics, American Association of Museums, 1978, and endorse that report as a statement of basic principles applicable to the ethical issues faced in common by all museum professionals. This Code of Ethics for Registrars has been developed to apply similar ethical principles to the specific activities and responsibilities of museum registrars.

The Registrars Committee of the American Association of Museums accepted and endorsed this Code of Ethics for Registrars on 11 June 1984.

II DESCRIPTION OF THE POSITION

Individuals with the title or function of registrar have a varied range of responsibilities and activities. In this document the basic description of the position as defined in the glossary of Museum Registration Methods is adopted "an individual with broad responsibilities in the development and enforcement of policies and procedures pertaining to the acquisition, management and disposition of collections. Records pertaining to the objects for which the institution has assumed responsibility are maintained by the registrar. Usually, the registrar also handles arrangements for accessions, loans, packing, shipping, storage, customs, and insurance as it relates to museum material".

Registrars are usually specialists in the areas of information management, risk management, and logistics. The primary concerns of registrars are creating and maintaining accurate records pertaining to objects, including those documents that provide legal protection for their museum; ensuring the safety of objects; arranging insurance coverage for objects; and the handling, transporting and control of objects.

III THE REGISTRAR, THE RECORDS AND THE OBJECTS

Registrars' obligations to their museums' collections, to loaned objects, and to the associated records are paramount.

MANAGEMENT, MAINTENANCE AND PRESERVATION OF THE RECORDS

The records and documents that form a body of information pertaining to the collections and loaned objects are the responsibility of registrars and are the cornerstone of the registrarial function.

The records comprise legal documents establishing ownership or loan status of objects; records of accession, location, donor or vendor, exhibition, and publication. In addition, they may also include photographs, licenses and permits, exhibition bond notices, and historical records. Frequently, curators keep research files on the objects in their domain.

Registrars must maintain records that are meticulously complete, honest, orderly, retrievable, and current. Records should be created in a timely manner and accurately dated. Records must be stored in an archivally and technologically sound and secure manner, both to ensure their preservation and to prevent access by unauthorized persons. The expertise of legal counsel and archivists should be sought without hesitation.

Registrars must protect their museums and the objects in them against the risk of liability through the use of valid documents such as gift, sales, loan and custody forms and receipts; by implementing all aspects of insurance coverage for owned or borrowed objects on premises or in transit according to the terms of their insurance policy or indemnity; and by complying with pertinent laws and regulations governing such things as import and export or the movement of objects or rights and reproductions of objects.

Registrars, through the records maintained, are accountable for the objects in custody of their museums and must be able to provide current information on each object, its location, status, and condition.

MANAGEMENT, MAINTENANCE, AND CONSERVATION OF THE OBJECTS

In maintenance and physical care of the collections, registrars must work in close cooperation with curators, conservators, collections managers, and other museum staff, and must be guided by their museums' collections

management policies. In management of loaned objects registrars also work in cooperation with exhibition, technical, and security staff, and they must adhere to and enforce the lenders' conditions of loan.

In some museums it is not registrars but curators or collections managers who have responsibility for the physical care of collections in storage. Whichever is the case, the best and most secure environment possible should be ensured for the storage and preservation of objects. The condition of the collections should be reviewed periodically and the expertise of conservators should be sought without hesitation.

Objects in movement are the responsibility of registrars. As risk managers, registrars are responsible for determining and arranging for the correct method of handling, packing, transporting, and couriering objects. They must also consider borrowers' capabilities and facilities. Registrars identify potential risks and complications and act to reduce or eliminate them.

Registrars share the responsibilities for loaned objects in the custody of their museums. They are responsible for their safe movement, temporary storage, and correct disposition. Registrars always must treat loaned objects of whatever value, quality, or type with the same care and respect given to objects in their museums' collections.

Registrars must complete condition reports in an honest and timely manner, be familiar with the terms of their insurance coverage and ensure that insurance reporting is accurate. In filing an insurance claim all relevant circumstances of loss or damage must be disclosed, even if it appears that the museum is at fault.

ACQUISITION AND DISPOSAL

Registrars must adhere to the acquisition and disposal policies of their museums; if no written policies exit, then registrars should encourage and assist in their formulation. In the absence of written museum policies registrars should develop written procedures for use by their departments to ensure compliance with traditional but oral museum policies. Registrars should obtain the approval of the directors before implementing such procedures, and strive to ensure that the policies and procedures are complied with at all levels within the museums.

Objects for acquisition or disposal are proposed, usually by curators, to the relevant museum committees for approval. Registrars' roles in acquisition are generally in an advisory capacity concerning the feasibility of storage, the risk of movement to the object under consideration, and certain legal aspects of the transaction. Prior to issuing an accession number reflecting the date and/or order in which the objects was added to the collection, registrars are responsible for obtaining documentation of the decision to acquire the object, the document transferring title of an object to the museum, and the receipt of delivery of an object. Registrars should be aware of, and not contribute to, the violation of tax, wildlife, import, or other laws and regulations governing acquisition of objects by their museums and other institutions with which they are involved.

Registrars should ensure that at least one appraisal of an object is acquired and institute insurance coverage if applicable according to museum policy. In order to prevent their use as an appraisal for tax or other purposes, these appraisals should not be made available to the donor or vendor of an object. Appraisals for tax purposes are the responsibility of the donor, who can be informed whether an object is accepted for the collection, for sale, or for use by the museum.

Registrars' roles in deaccessions and disposals are primarily those of monitoring and documenting procedures. Registrars also should bring to the attention of the curator any object in irreparable condition or one jeopardizing the safety of the rest of the collections. Registrars should verify the museum's legal right to dispose of an object, and inform the curator and other appropriate museum staff of any restrictions attached to an object that may bear on its disposition. When restrictions are attached to an object, legal counsel should be sought so that the museum might be relieved of those restrictions by appropriate negotiation or legal procedure.

Once all the proper approvals have been granted, registrars must amend all the related records to show the date of deaccession, the authority for it, and the method of disposal. Records may also show the disposition of any funds realized through sale or any exchange acquired as a result of the deaccession. Donor credit for, and use of funds realized through the sale of an object must comply with the policies of the museum.

AVAILABILITY OF COLLECTIONS AND RECORDS

Museums hold and safeguard their collections for posterity, although they must allow reasonable public access

to them on a nondiscriminatory basis. However, registrars must act according to the policies of their museums.

Registrars, along with curators and conservators, must ensure that objects from the collections are examined and viewed in a manner not detrimental to an object. They must also ascertain that a borrowing institution's facilities are acceptable when considering a loan request, so that an object will not be placed in jeopardy.

The records constitute part of a museum's accountability to the public. However, registrars must ensure by proper supervision that sensitive or confidential material in their museums' records is not accessible to unauthorized persons. When in doubt registrars should consult their supervisors or their museums' legal counsel.

TRUTH IN PRESENTATION

Registrars are responsible for creating and maintaining accurate records and updating them in light of new research, and for ensuring that the records reflect the facts insofar as they are known.

HUMAN REMAINS AND SACRED OBJECTS

Registrars must be tactful and responsible in giving access to collections of human remains and sacred objects, and must store, transport, and care for these objects in a manner acceptable to the profession and to peoples of various beliefs.

IV. THE REGISTRAR AS STAFF MEMBER

GENERAL DEPORTMENT

Registrars are visible to the public, the profession, commercial representatives, and government agents in situations ranging from collecting objects from donors and lenders in their homes or museums to negotiating with customs inspectors in cargo sheds. Registrars must behave in a dignified and ethical manner and gain the respect of others by not creating embarrassments either to their museum or their profession. Because of their access to confidential matters and information, it is incumbent upon registrars to be discrete and circumspect in all their communications or actions in an effort to preserve the integrity of their museum.

In all activities and statements, registrars must make it clear whether they are speaking for their museums, their professional association, or themselves. They must be aware that any museum-related action may reflect upon their museums, be attributed to it, or reflect upon the integrity of the profession as a whole.

CONFLICT OF INTEREST

Registrars must be governed by their museums' policies on conflict of interest and other ethical matters.

Registrars should be loyal to their museums and not abuse their official position or contacts within the museum community, nor act so as to impair in any way the performance of their official duties, compete with their museums, or bring discredit or embarrassment to any museum or the profession in any activity, museum-related or not.

RESPONSIBILITY TO THE COLLECTIONS AND OTHER MUSEUM PROPERTY

Registrars and their staff must never receive or purchase for their own or another individual's collections or purposes, even at public auction, objects deaccessioned from their museums' collection. Registrar's volunteers and interns should be guided by the codes governing their supervisors.

Registrars should never put to personal use objects in their museums' custody and they should guard information that would enable others to do so. Registrars must never abuse their access to information and to other museum assets by using them to personal advantage. Registrars must be particularly vigilant concerning their knowledge of museum security procedures.

Because of their experience and responsibility as risk managers, registrars are often regarded as authorities in the care and transport of valuable or problematical objects. They must guard against giving the impression that

their museums endorse the services of any specific vendor or supplier.

When recommending the services of conservators, appraisers, packers, shippers, customs brokers, or others, whenever possible registrars should offer the names of three qualified vendors to avoid favoritism in recommendations.

PERSONAL COLLECTION AND DEALING

Registrars must be governed by the policies of their museums which usually are designed for curators and directors. If at the time of their employment their personal collections are similar to those of their museums, registrars should submit an inventory of their collections to the appropriate official and update their inventory in a timely manner. As to objects they acquire after they are employed; registrars may be required to give the museum the opportunity to purchase such objects at their acquisition cost for an appropriate period of time. In no case should registrars compete with their museums in any personal collecting activity. They should never act as dealers or for dealers.

OUTSIDE EMPLOYMENT AND CONSULTING

In any situation where registrars work for another organization, an individual, or themselves on their own time, such work should not interfere with the performance of registrars' duties for their museums. The nature of the employment should be disclosed to and cleared by their director and should conform to their museum's relevant personnel policy.

GIFTS, FAVORS, DISCOUNTS, AND DISPENSATIONS

Registrars often use the services of commercial companies. They must not accept gifts of more than a trifling nature, such as unsolicited advertising or promotional material, so that their judgment will not be impaired when selecting a vendor. Such selections should be made upon merit and not for personal reasons of obligations.

Registrars must not accept personal discounts from vendors who do business with their museums. Registrars must also avoid any appearance of being influenced by gifts or dispensations provided by vendors or services.

TEACHING, LECTURING, WRITING, AND OTHER CREATIVE ACTIVITIES

Registrars should teach, lecture, write, and perform related professional activities for the benefit of others in the profession or those aspiring to such a position. They should also contribute to the general public understanding of museum registration.

Registrars should enhance their own knowledge in all registration matters, ensuring that they are up to date with current methods of records management, object care and handling, packing, transporting, insurance, personnel, and financial management, as well as changes in the laws affecting museums and their collections.

Registrars should obtain the approval of their director and conform to their museums' policies on questions of use of official time, royalties, and other remuneration for such activities.

FIELD STUDIES AND COLLECTING

Because legal and ethical problems can arise more frequently in fieldwork, registrars must be particularly zealous in completing accurate and timely records. Registrars must monitor compliance with local, state, national and international laws, as well as with their museums' acquisitions policies. They must also be sensitive to ethnic or religious beliefs.

V. THE REGISTRAR AND MUSEUM MANAGEMENT POLICY

PROFESSIONALISM

Although the governing board of the museum is ultimately responsible for the museum, the director is the chief executive officer.

Registrars must carry out their duties according to established guidelines and under the directions of their

supervisors, who may be the director, the assistant director, or curator of collections, or an administrative manager. In no case should they take direction from members of the governing board, who should confine their directives to the chief executive officer of the museum. If guidelines or delegations of authority are unclear registrars should seek written clarification.

Registrars should not be required to reverse, alter, or suppress their professional judgment to conform to a management decision.

When a disagreement arises between the registrar and the director or other supervisor, the registrar should consider documenting the difference of opinion, but should also conform to the grievance procedures of the museum. Only when asked to falsify records or in some way compromise legal or ethical standards should the registrar consider writing a report to the governing board of the museum, and then only with the full knowledge of the museum director.

INTERPERSONAL RELATIONSHIPS AND INTERMUSEUM COOPERATION

While registrars must strive for excellence in registration methods, they should understand that professional role within the total context of their museum and should act cooperatively and constructively with colleagues in the furtherance of their museums' goals and purposes. It is important for registrars to obtain the respect and trust of colleagues in their own and other museums.

Inter-museum cooperation may take the form of providing safe storage for duplicate sets of collections records, of providing the services of conservation or preparation of objects for transport, of consolidation of shipments or safe storage for traveling exhibitions between sites. Such cooperation may also take the form of providing professional help and temporary storage of objects or records in the event of fire, flood, or other disaster. When objects or records are so taken into their museums' custody, registrars should ensure that valid documentation of the terms and duration of the custody arrangements is provided.

DETROIT INSTITUTE OF ARTS

DETROIT INSTITUTE OF ARTS GUIDELINES FOR PROFESSIONAL PRACTICE AND COPYRIGHT COMPLIANCE

I. Introduction

The Detroit Institute of Arts (DIA), being a non-profit institution incorporated under the laws of the State of Michigan recognizes a need for policy and guidelines to aid its employees in comprehending and complying with the laws of the 1976 Copyright Act of the United States of America.

II. Purpose

A. In keeping with the DIA's mission: "The DIA creates experiences that help each visitor find personal meaning in art" the museum acknowledges its desire to photograph, display, distribute, transmit, publish, and otherwise use images of the DIA collection for the benefit of the public the museum serves.

B. Further, as a public trust and in deference to the artists represented in the collection, and the broader artist community, the DIA recognizes its legal and ethical responsibility to understand and comply with the copyright laws of our nation and where applicable those of other nations.

III. General Criteria

A. The DIA assumes that all works created after 1922 will carry a copyright, unless a copyright was never established, lapsed or was not renewed upon expiration.

B. When seeking copyright permission to make images of the Collection, the DIA has developed multiple museum forms and procedures for requesting non-commercial, and commercial licenses for DIA owned work, and license for non-DIA owned work. The Forms and Procedures are encompassed in this policy.

C. In all instances the copyright holder will be asked to supply the appropriate credit line.

D. For DIA owned works the Registrar will enter the credit line into the computerized collections management system (TMS) record with all other pertinent information, making it available to all museum users.

1. The TMS entry will contain the most up to date information regarding the copyright permission and credit line for each object in the DIA collection.
2. The credit line will appear in all usages of DIA images, unless otherwise negotiated.
3. It is the individual departments' responsibility to obtain the image credit line from the Rights and Reproduction section of TMS before using an image of a DIA owned art object.

IV. Fair Use Doctrine and its application to DIA Collection Images

A. The DIA will not seek permission from copyright holders to make images used for purposes of analyzing, comment, news reporting, teaching, scholarship, research and record keeping. These usages will be understood as not an infringement of copyright and thereby qualifying as "Fair Use."

B. In determining whether the intended use is "fair use" the following will be considered, as proscribed in the Copyright Act:

1. The purpose and the character of the use of the image including whether such use is of commercial nature, or non profit educational use;
2. The nature of the copyrighted work of art;
3. The amount and substantiality of the portion used in relation to the copyrighted work;
4. The effect of the use upon the potential market or value of the copyrighted work of art.

C. Final interpretation of the application of "Fair Use Doctrine" at the DIA will be determined by the Photography/Rights and Reproduction staff with consultation with the Curator.

V. Non-Commercial Copyright Permission

A. A non-commercial license will be sought for standard museum use of applicable images that are not intended for profit making endeavors, such as:

1. Educational images such as gallery guides, films, video;
2. Public relations usages such as invitations and fliers;
3. Web images used to display the museum's holdings and programs;
4. News reporting relating to the museum's collections and exhibitions;

5. Marketing of exhibitions and collections through billboards, and other media;
6. Museum scholarly publications.

B. Such images must not distort the visual intention of the artist, without the written permission of the copyright holder.

C. Photography/Rights and Reproduction staff in consultation with the curator will determine distortion in matters of dispute.

D. In all other instances, permission will be sought for all non-commercial uses for the life of the copyright or any extensions thereof.

VI. Procedures/Responsibilities for Non-Commercial usages

A. The following procedures will be employed for images of the DIA collection that will be used for purposes not intended for sale.

1. One standardized form (Non-Commercial Copyright Request Form) will be used to obtain copyright permission (see appendix A). The Form will request permission to make images, with no distortion, for non-commercial, not for profit usages for the life of the copyright.

2. Management of this information will be a collaborative effort between Curatorial, Registration and Rights and Reproduction departments.

    a. Registrars will issue the Non-Commercial Request Form for all applicable incoming new acquisitions.

    b. Curators/Registrars will issue the same for all applicable works already in the DIA permanent art collection.

    c. All returned forms will be sent to the Registrar who will notify Rights and Reproduction Office and the appropriate curator.

    d. All copyright information will be entered into the Rights and Reproduction section of TMS (or the current collections management software), by the Registrar,

and will be made available on-line and in hard-copy to all museum departments requiring the information.

e. Departments seeking copyright permission for works in the DIA collection should check the Rights and Reproduction section of the TMS record.

f. If there is no information in TMS, the department seeking copyright should consult with the appropriate curator, who will send the Non-Commercial Request Form to the copyright holder.

VII. Merchandizing Copyright Permission

A. Commercial usage also applies to standard museum use, but rather those that result in financial dividends as a result of sale, such as:

1. Catalogues, books, journals
2. Posters, postcards, greeting cards
3. The use of images on other and any for-sale items, such as those sold in the Museum Shop.

B. Unless otherwise negotiated, permission will be sought on a case-by-case basis each and every time and for every occasion commercial copyright is desired in these instances.

VIII. Procedures/Responsibilities for Merchandizing Usage of DIA Images:

A. The following procedures will be used by those departments (generally, but not limited to) Marketing, Publications, Development and Museum Shop for all for-profit usage of images of the DIA Collection

1. One standardize DIA Form (see appendix B) or a customized letter will be used to seek commercial rights. If the Form is utilized, the user will customize it by entering the exact nature of the request, and outlining any distortion, over-printing, cropping, etc., that is desired in the appropriate spaces.

2. Separate usages will generally require duplicate forms

3. The department seeking copyright will notify the appropriate curator. The Curator and/or DIA Photography/Rights and Reproduction Department will issue the request.

4. All signed returned Forms must be copied to the Registrar who will enter the information into TMS and maintain the Form in the Collection records making it available to all staff.

5. A copy of the returned form must be sent to the DIA department requesting copyright permission, and the appropriate curator.

IX. Requests From other Institutions to use DIA Collections Images or make Images of DIA collection Objects

A. The Photography/Rights & Reproduction Department will manage all requests from outside organizations to make or use images of artwork owned by the DIA for both non-commercial and commercial uses.

B. The Rights and Reproduction Office will copy the Curator on such requests, and update the Registrar with any new copyright information for TMS and the object file records..

X. Requests initiated by the DIA to make Images of works from other Collections

A. The DIA department requiring the image, in collaboration with the Rights and Reproduction Department will make an inquiry to establish the identity of the copyright holder.

B. In general a standardized letter format will be used by all DIA departments to request to make, or to use images of works owned by other Institutions. (see appendix for example)

C. The information will be sent to the Rights & Reproduction office in spread sheet Format. Rights & Reproductions will make the information available to other Departments by placing it in the SHARE READONLY File, for the time needed and maintaining a permanent hard and/or electronic record.

   1 Copyright request for exhibition loans will be initiated and distributed by the Registrar or the Exhibition Coordinator.
   2 Copyright requests for DIA publications will be initiated and distributed by the Publications Department.

D. The DIA will apply the same careful and ethical considerations regarding copyright to works from other institutions as it applies to its own Collection.

XI. Requests from collaborating Institutions

A. Requests from other institution to make images of non-DIA artwork appearing in DIA sponsored exhibitions will be managed through the Exhibitions Department.

B. All collaborating institutions will be informed that it is their responsibility to obtain copyright permission to use images of non-DIA artwork appearing in DIA exhibitions, unless otherwise negotiated.

C. The DIA will assist collaborating institutions with any copyright information it possess such as the names and addresses of copyright holders.

XII. Museum Record Keeping

A. Registrar will maintain, as part of the established object record, computer and hard copy accessible copyright records for DIA collection images used by the Museum. These records will contain a minimum of:

1. Copyright owner's name and address
2. Type of copyright granted to the DIA and length of time granted
3. Copyright owner's credit line

XIII. On-Line Resources for Copyright Information:

www.copyright.gov: U.S. copyright Law.
www.unc.edu/~uncing/public-d.html: When U.S. works pass into Domain," by Lolly Gasaway.
http://en.wikipedia.org/wiki/Internatuional_copyright_law: A comprehensive sight outlining international law.

DETROIT INSTITUTE OF ARTS

NON-EXCLUSIVE, COMMERCIAL LICENSE FOR COPYRIGHT

I____being the sole legal owner and holder of all copyright interests in the below listed art (The Work), and in recognition of The Detroit Institute of Arts' (The Museum's) lawful possession of the Work, do hereby grant to the Museum, license to make images of the Work listed below:

Artist:
Title, Year:
Medium:
Dimensions:
Museum Accession Number:

Copyright permission is requested for the purpose of:

____

Permission is also requested to crop, overlay the image, or as otherwise stated:

____

This license is for the express purpose as noted above, and requested for a one-time use. For all other rights, the DIA will seek additional permission from the copyright holder, or his/her representative and the Museum will direct third parties to do the same. The effective date of this non-exclusive, commercial, one-time use, copyright request shall coincide with the effective date of this agreement by and between the copyright holder, and the Museum.

This license does not transfer ownership of the copyright to the Museum, nor does it grant permission to the Museum to use images of the work in any other manner not noted in this agreement.

I affirm that I am able to grant non-exclusive permission as requested herein because:
(Please check one)

__I am the Artist and I have never transferred exclusive rights to the Work to any person or entity.
__I am the lawful assignee or exclusive licensee of the copyright to the Work as the result of lawful, written transfer
__I am heir to the Artist or of a subsequent copyright owner and I have inherited ownership of the copyright, or a portion thereof. If copyright is held jointly by more than one holder, please indicate co-owners' names:

Effective date:______________________________

Signature of Copyright Holder:____

Typed or printed Name ____

Note credit line as:____

DETROIT INSTITUTE OF ARTS

NON-EXCLUSIVE, NON-COMMERCIAL LICENSE FOR COPYRIGHT

I____being the sole legal owner and holder of all copyright interests in the below listed art (The Work), and in recognition of The Detroit Institute of Arts' (The Museum's) lawful possession of the Work, do hereby grant to the Museum, license to make images of the Work, for the life of its copyright and any extensions thereof in any media now known or yet to be invented and to display, distribute, transmit, publish and otherwise use these images for all non-commercial, standard museums purposes, including but not limited to educational materials, publicity and advertising materials, and all museum documentation purposes. The image will not be cropped or distorted and will represent the artist's original intention.

Artist:
Title, Year:
Medium:
Dimensions:
Museum Accession Number:

This license expressly authorizes the Museum to sub-license to its affiliates, as the Museum deems necessary. If the Work is lent to another museum for exhibition purposes, the same will apply in relation to that exhibition. For all other rights, the DIA will seek additional permission from the copyright holder, or his/her representative and the Museum will direct third parties to do the same. The effective date of this non-exclusive, non-commercial, irrevocable license shall coincide with the effective date of this agreement by and between the copyright holder, and the Museum.

This license does not transfer ownership of the copyright to the Museum.

I affirm that I am able to grant non-exclusive permission as requested herein because:
(Please check one)

__I am the Artist and I have never transferred exclusive rights to the Work to any person or entity.
__I am the lawful assignee or exclusive licensee of the copyright to the Work as the result of lawful, written transfer
__I am heir to the Artist or of a subsequent copyright owner and I have inherited ownership of the copyright, or a portion thereof. If copyright is held jointly by more than one holder, please indicate co-owners'names:

Effective date:____________________________

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Typed or printed Name ____

Note credit line as:____

DETROIT INSTITUTE OF ARTS

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Artist:
Title, Year:
Medium:
Dimensions:
Museum Accession Number:

Copyright permission is requested for the purpose of:

____

Permission is also requested to crop, overlay the image, or as otherwise stated:

____

This license is for the express purpose as noted above, and requested for a one-time use. For all other rights, the DIA will seek additional permission from the copyright holder, or his/her representative and the Museum will direct third parties to do the same. The effective date of this non-exclusive, non-commercial, one-time use, copyright request shall coincide with the effective date of this agreement by and between the copyright holder, and the Museum.

This license does not transfer ownership of the copyright to the Museum, nor does it grant permission to the Museum to use images of the work in any other manner not noted in this agreement.

I affirm that I am able to grant non-exclusive permission as requested herein because:
(Please check one)

__I am the Artist and I have never transferred exclusive rights to the Work to any person or entity.
__I am the lawful assignee or exclusive licensee of the copyright to the Work as the result of lawful, written transfer
__I am heir to the Artist or of a subsequent copyright owner and I have inherited ownership of the copyright, or a portion thereof. If copyright is held jointly by more than one holder, please indicate co-owners' names:

Effective date:______________________________

Signature of Copyright Holder:____

____

Typed or printed Name ____

Note credit line as:____

AAMD POLICY ON THE USE OF "THUMBNAIL" DIGITAL IMAGES IN MUSEUM ONLINE INITIATIVES

AAMD Mission Statement

The Association of Art Museum Directors promotes the vital role of art museums throughout North America and advances the profession by cultivating leadership and communicating standards of excellence in museum practice.

Preamble

The principal purpose of art museums is education. While the purpose remains the same, the means and methods of accomplishing this goal continue to evolve, nowhere more so than with respect to the internet. In particular, the need for the availability of scholarly materials on the internet grows in importance as use of the internet escalates. While acknowledging that the technology of electronic information changes and transforms on an almost daily basis, this dynamic growth demonstrates the need for the application of basic principles so that the integrity of the image, the interests of museums and the publics they serve and the rights of the artist can all be harmonized. Integral to the museum's accomplishment of its mission to educate is the statutory right of fair use[1] embodied in United States copyright law. AAMD reaffirms the critical importance of this legal exception to the missions of its members and believes that the application of fair use to internet media can be enhanced through reasonable guidelines to be established and followed by art museums.

Definitions

For purposes of this Policy, the following terms have the meanings set forth below:

Artists means living artists and/or artists and/or entities whose works are protected under copyright laws of the United States. The term also includes estates, foundations, artists' rights organizations or other legal entities that hold copyright or represent the artist.

1 An extract from the U.S. Copyright Office FL-102, revised May 2009, is attached as Annex A.

Collections image database means any digital compilation or a website, including unrestricted websites, maintained by the museum or an affiliate of the museum of digital images of objects from the museum's collection maintained primarily to support education or research and to foster interest in museum collections.

Digital Image means a two dimensional image using ones and zeroes (binary).

Digital Imaging means a process whereby an electronic photograph, scanned document, or image is converted into a series of electronic dots called "pixels."[2]

Collateral materials means magazines, articles, flyers and related materials made available electronically by a museum, at no cost to the recipient, to promote its exhibitions, collections and programs.

Online scholarly publications means an educational publication made available (i) on a website whose primary purpose does not include paid advertising or the selling of merchandise, or (ii) on a subscription-based website with no more than 2,000 subscribers, provided, multiple end users accessing content through one subscription agreement shall be considered one subscription, or (iii) on a website that provides archival versions of the publication in non-profit electronic archives such as JSTOR and/or in for-profit electronic library content providers such as EBSCO or ProQuest.

Thumbnail image means a low resolution, small version of less than commercial quality (less than 250 x 300 pixels) of a digital image that is typically used in a collection image database, on a web page, or in an online publication to represent an image or to provide a link to other content, such as a larger version of the image. Thumbnail images may or may not link to higher resolution images.

Website means a collection of related web pages, images, videos, or other digital assets that are addressed relative to a common Uniform Resource Locator (URL), often consisting of only the domain

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2 "Pixels" is an acronym for "picture elements."

name or the IP address and the root path ('/') in an internet protocol-based network accessible via the internet. A website may be static or interactive and may include retail options.

Policy Statement

A. AAMD encourages member museums to develop clear written intellectual property and/or digital imaging policies and guidelines.

B. Member museums must comply with all applicable laws in the reproduction of works in their collection and the use and dissemination of images of those works. Member museums must respect the rights of artists and copyright holders to protect the integrity of their works and to receive the benefits of the rights, including financial rights, accorded to artists and copyright holders by law, but those rights do not preclude the museum from exercising its statutory rights to fair use of images.

C. Without intending to limit any other fair use thereof and recognizing that there are many uses of thumbnail images by museums that meet the statutory fair use test, AAMD supports the position that a museum's use of thumbnail images in the museum's collections image database, promotional materials to identify works in a museum's collection, and online scholarly publications are fair uses under applicable provisions of the United States copyright law.

D. Museums should not be requested or required to pay fees for the fair use of such thumbnail images in the museum's collections image database, promotional materials to identify works in the museum's collection, or online scholarly publications.

E. Except in extraordinary circumstances or where such information is unknown, the Museum should provide with such thumbnail images appropriate information as to artist, title and owner of the work.

ANNEX A

☐ Fair Use (from US Copyright Office FL-102, Revised May 2009)

One of the rights accorded to the owner of copyright is to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 118 of the copyright law (title 17, U. S. Code). One of the more important limitations is the doctrine of "fair use." The doctrine of fair use has developed through a substantial number of court decisions over the years and has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes

2. The nature of the copyrighted work

3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole

4. The effect of the use upon the potential market for, or value of, the copyrighted work

The distinction between fair use and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission.

Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

The 1961 Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law cites examples of activities that courts have regarded as fair use: "quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported."

Copyright protects the particular way an author has expressed himself. It does not extend to any ideas, systems, or factual information conveyed in the work.

The safest course is always to get permission from the copyright owner before using copyrighted material. The Copyright Office cannot give this permission.

When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of fair use would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered fair nor advise on possible copyright violations. If there is any doubt, it is advisable to consult an attorney.

U.S. Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000
(202) 707-3000

2829204.10

DETROIT INSTITUTE OF ARTS

NAGPRA Consultation and Repatriation Request Principles and Procedures

The Native American Graves Protection and Repatriation Act (Public Law 101-601) (NAGPRA), enacted by Congress, contains provisions relating to human remains and cultural items, as therein defined, including among other things, the acquisition, possession, ownership, inventory, and repatriation of such items, and the responsibility of certain museums having an interest therein. Set forth below are the Detroit Institute of Arts (DIA) general principles and procedures guiding the museum's collection, use and repatriation of human remains and cultural items of Native Americans within the scope of NAGPRA and all its most current amendments and additions.

Relations between the DIA and Native American peoples will be conducted with respect for the human rights of Native Americans and for the values of historic research, public education and exhibition.

1. The DIA will strive to resolve questions of the disposition and treatment of human remains and cultural items through cooperative and timely discussions between the museum and all interested Native Americans recognized under NAGPRA.

2. The DIA will not knowingly acquire any item whose ownership or legality is questionable or whose circumstances are contrary to the practices of the DIA's most current version of its Collections Management Policy.

3. The DIA curator will compile inventories, as required by NAGPRA, and document and update relevant data pertinent to the collection of Native American human remains and cultural items. In addition, it will make these inventories available to potentially interested Native America groups recognized by NAGPRA. The museum will strive to promptly answer inquiries for information about its collection.

4. Requests for DIA catalogue records must be in writing and will be administrated by the museum's Department of African, Oceanic and Indigenous Americas (AOIA). Documentation may include database and hard copy collection records, catalogue documents from the supplementary accession files, registrar's records, and correspondence pertaining to collection documentation. Black and white prints and/or slides or photocopies of digital images will be supplied when available.

5. Appointments to view collections must be requested in writing through the DIA's Department of AOIA. Appointments will be scheduled in a timely manner as staff time allows. The appointment will be facilitated through submission of lists of objects to be examined. Tribal representatives should request lists pertaining to objects attributed to their tribe through written request to the museum in advance of their appointment (no.5). Visits to collection storerooms will be limited to delegations numbering no more than six individuals and must be accompanied by the museum's curatorial or registration staff. The curator will compile a written report to document the visit. A copy will be available to the delegation on request. These guidelines are in keeping with overall DIA Procedures for visiting scholars informed by the overall principle that the collections and its documentary record shall always be accessible to responsible researchers within the limitations imposed by proper administration of staff time.

6. Request for repatriation must be submitted in writing and should include the following information:

    A. Evidence that the tribal group or individual making the claim has the tribal authority to proceed.

    B. Independent evidence (in addition to DIA documentary records, which may so indicate) that the object fits the statue definition of cultural remains, a sacred object or an object of cultural patrimony.

    C. Identification, cultural authority and tribal authorization of those individuals who made that determination for the tribe.

    D. Evidence that the tribe is the owner of the requested object.

    E. Evidence that the DIA does not have rights of possession.

    F. Evidence that the tribe is culturally affiliated with the request object.

7. Upon receipt of a repatriation request, the museum's curator of the Native American collection shall send a letter to the tribe acknowledging the claim. Additional information may be requested if necessary. Written notification will be sent to the tribe that upon completion of the request (as outlined above) the DIA will begin to make the determination whether the item(s) meet the criteria mandated by 10.10 (a) or 10.10 (b) of the final rules within the ninety day statuary maximum.

8. The curator in consultation with the director and legal counsel, will research the facts of the claim, circumstances of acquisition, the statuary legality of the claim, and any other pertinent issues. The curator will also research and if appropriate notify all other potential claimants. If it is determined by the curator, director and legal counsel that property identified items are subject to repatriation under the law, and that the claimant is the sole property affiliated claimant, the item(s) will be recommended to the museum's Collection Committee and the Board of Directors for deaccession from the museum's collection. The deaccession will follow all procedures identified in the DIA's Collection Management Policy. Claimants will be notified in writing of the recommendation for deaccession with the date for anticipated completion of the process; i.e. the date of the Board of Directors meeting at which the deaccession proposal will presented and vote upon.

9. The DIA's registrar will make arrangements for the formal transfer of title, and shipping of the repatriated item(s). The registrar will notify the National Park Service to draft a Notice of Intent to Repatriate to be published in the Federal Register.

10. If the curator, the director, and legal counsel determine that the item(s) does/do not meet the criteria for repatriation under NAGPRA, the claimant will be notified in writing within the ninety-day statuary maximum. The letter will include a detailed and explicit description of the facts of the claim, as recognized by the DIA, with reasons why the request has been denied. The claimant will be invited to clarify the facts of the claim.[1]

[1] P. Watson/D. Penney
1999; updated 2012 K. Dziurman